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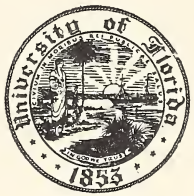

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REMAINS

Historical and Literary

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1953

CHARGES TO THE GRAND JURY AT QUARTER SESSIONS

1660–1677

BY

SIR PETER LEICESTER

EDITED BY

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MANCHESTER
PRINTED FOR THE CHETHAM SOCIETY
1953

PREFACE

Sir Peter Leicester was one of the most outstanding personalities in local affairs in the seventeenth century, author of a county history on which all later historians have based their work and a man of culture, well versed in drama, music, poetry and theology. I am deeply indebted to Lt.-Col. J. L. B. Leicester-Warren, T.D., J.P., his descendant, for his kindness in allowing unrestricted access to Sir Peter's extensive collection of manuscripts and papers which are still preserved at Tabley House and for permission to publish this volume of extracts illustrating his career with particular reference to his work as a Justice of the Peace. My thanks are also due to Professor G. Barraclough, M.A., and to Mr. R. Richards, M.A., F.R.Hist.S., F.S.A., who first introduced me to work on archives in Cheshire. I also owe much to the encouragement of Sir Maurice Powicke.

E. M. H.

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INTRODUCTION

I. SIR PETER LEICESTER OF TABLEY

EARLY LIFE

THE author of a county history and compiler of a large and varied series of manuscript notebooks—a lasting testimony to his tireless industry and wide range of interests—Sir Peter Leicester has left behind ample material to illustrate his method of work and its scope, to indicate the number of subjects which he had studied and mastered, to provide detailed information as to his estate and household management, and to give intimate glimpses of his personal prejudices and predilections. Yet little is known of his childhood and early manhood. He was born in 1613. His father, Peter Leycester, came of a line of country squires, lords of the manor of Nether Tabley from about 1276, when it passed to Nicholas de Leycester as the marriage portion of his bride, Margaret, daughter of Geoffrey de Dutton. By examining all his deeds and charters Sir Peter discovered that the spelling of the family name was sometimes Leicester and sometimes Leycester and, since Leicester appeared to be the earlier version, he eventually adopted the *i* spelling in preference to the alternative usage of *y*; but for several generations previous to his birth the name was regularly spelled Leycester and Sir Peter himself used this form for the greater part of his life. It was only in his later years that he reverted to the earlier usage—Leicester.

The manor house at which he was born had been built by John de Leycester about the beginning of Richard II's reign—before 1383. In the detailed account of it which Sir Peter wrote, probably in 1640, he relates:

> Before which tyme the old Mannour house stood a little aboue at the upper end of a certaine Close now called the Poole-field, where is yet to be seene a Deepe Trench which was cut round about the place where the old Hall stood: & in an ancient Rentall made in the 18th yeare of Henry ye VIIth that greene Spot of Common (lyinge now from the Poole side to the gate which openeth to the little Lane leadinge to Knotsford) is called the Oldhall-Greene, which we corruptly call Ollar-Greene; although perhaps this name is not now unfitly given from the many Ollars growinge there by the Water's side: not farre from whence there stood a Chappell long agoe: the place where it stood is even to this day called the Chappell-field, where (within our memory) the Servants have with their Ploughes discovered the ruinated ffoundations thereof consistinge of great Stones: But there is now nothinge left to be seene. Since the Structure of the Mannour-house founded in this place where it now standeth by the sayd John Leycester, His Posterity haue constantly to this day fixed their habitation here: A seate sufficiently pleasant in the Summer tyme, & is compassed about with a large Poole which is as well an ornament as a fortification: but I desire to be sparinge

of my Pen in this Kind: This Poole aforesayd (by the Supply of a little Water-course drawne into it) Turneth & feedeth two Water-Mills standinge under the Banke & Damme thereof: which Mills are built of ffree Stone & under one Roofe, & were finished Anno Domini 1630.[1]

There are unfortunately no details preserved as to the education and pastimes which filled Sir Peter's days before he left home to become a gentleman commoner at Brasenose College on October 13th, 1629. His studies as an undergraduate at Oxford appear to have been supervised by a tutor, Mr. Samuel Shipton, later rector of Mobberley and then of Alderley. Tutor and pupil appear to have been on good terms, for in later years Sir Peter consulted Mr. Shipton, asking for advice and criticism of his attempt to write a theological treatise. Though he spent three years as a student of Brasenose Sir Peter did not graduate at Oxford but proceeded to Gray's Inn, which he entered on August 20th, 1632. There he not only acquired a legal training, which was to influence his writings no less than his activities in the public affairs of Bucklow Hundred. He also came into contact with poets, playwrights and men of letters, for it was an age when many benchers found literature more congenial than the Law. A legal no less than a university education were part of the equipment of every gentleman so that the Inns of Court were thronged with a lively, talented and cultured society which must have stimulated Sir Peter's interest in the theatre and in poetry—an interest which he retained to the end of his days—in addition to emphasizing his natural bent towards law, politics and political theory.

His studies over, he settled in the country, where he pursued and developed the scholarly tastes and interests for which his education had fitted him. One of his first productions was a Glossary which he wrote out in 1640. The frontispiece reads:

Here followeth an Alphabeticall Table, for the understandinge of Old Obsolete Words, and Other old Saxon-Norman Wordes used in old Deedes & ancient Records; with there true sence & Etymologyes, Reducinge those obscure names to there former perspicuity.[2]

This was based on his own deeds and evidences which date back to the twelfth century, and he prefaced it with a few observations on charters. His remarks give some indication of his methodical application to problems of diplomatic to the end that he might formulate accurate rulings on essential points.[3] The idea of compiling a glossary was not original. Sir Peter's work was but a pale reflection of the much more compre-

[1] Appended to his manuscript Glossary, f. 38–38b.

[2] This notebook has been bound, and now bears the title, "Sir P. Leycester—Old Words." Sir Peter appears to have derived considerable satisfaction from the definition of technical terms, for he has left behind a second volume—"Terms belonging to painting and architecture"—HH num. 14.

[3] See Appendix I.

hensive and erudite production of Sir Henry Spelman, to which indeed he refers his readers.[1] In his definitions he cites not only Spelman, but also Lord Cooke, Cowell and Camden. The significance of the work lies in that it indicates an early pre-occupation with charter material and its interpretation—the field in which, above all others, Sir Peter was to excel. In his study of seventeenth-century scholars and their work Douglas writes: "The *Monasticon* taught English scholars the importance of charters for history",[2] and again: "It was at once recognized by scholars as marking an epoch in the study of charters as a source of English history".[3] The first volume of *Monasticon* did not appear until 1655, but already, fifteen years earlier, Sir Peter was turning to the critical and careful examination of charters as the essential and indispensable basis of historical studies.

CIVIL WAR

With the outbreak of the Civil War in 1642 Sir Peter became deeply involved in and occupied with public affairs and official responsibilities. An ardent and inveterate royalist, he espoused the King's cause with vigour and determination, being appointed Commissioner of the Array for Cheshire. He left home in 1642 to further the King's interests and to serve the royalist cause wholeheartedly. When Oxford surrendered to Parliament in 1646 Sir Peter was among those who had followed the Court there and he was taken prisoner.[4] Unfortunately, at this date, he had not adopted the practice he was later to follow of copying all official correspondence and papers into a notebook which would serve as a record of his part in public affairs. The only papers in his collection which relate to the Civil War period are those which he copied into Liber W when he borrowed and made transcripts of parts of a book of Thomas Legh of Adlington.[5] In consequence there is no correspondence to illustrate his relations with the royalists nor to indicate the method in which he discharged the responsibilities and commissions laid upon him. Detailed records are available, however, to illustrate the effects of the royalists' defeat and collapse in 1646. His Delinquency Papers, which have been carefully preserved, give full details of the transactions relating to the sequestration of his estates, inherited in 1647, and give

[1] Spelman published his glossary as far as the letter L in 1627—under the title *Archaeologus*. Dugdale did not edit the second volume until 1664. In his library catalogue Sir Peter lists the 1664 edition as: *Spelman's Glossary with paper betweene every leafe: Printed 1664 wherein I have added many wordes.*

[2] D. C. Douglas, *English Scholars* (London, 1939), p. 39.

[3] op. cit., p. 38.

[4] cf. the royalist activities of Dugdale, Douglas, op. cit., p. 37.

[5] Now preserved in the library of the Architectural, Archeological and Historic Society of Chester and North Wales.

a very clear impression of the difficulties involved in the payment of his fine.[1]

Throughout the Protectorate he was debarred from taking an active part in public affairs and from holding any office. His loyalty to the new government was suspect and his activities were closely watched. A clear and concise account of an interrogation, which took place in 1654, states:

That, there were 2 strange men who came with Dr. Jacob to my house about the 12th of March last, and who asked whether Col. Booth was there. I told them he was. They desired to see him. I asked how farre they had come that morning, they told me from Warrington. I enquired not their names, as considering it not civill for me soe to doe, but I asked Dr. Jacob who they were; hee sayd hee could not tell, immediately my servant showed them to his chamber. In the meantime, I stayed below in the rooms where I then was. Presently about a quarter of an houre after or a little more, they came downe againe, and then they offered to take leave of mee. I then invited them to take a piece of a bad dinner, as conceiving them to have been of my Uncle Booth's acquaintance (for dinner stood then ready upon the table when they came downe, being about twelve of the clock). They embraced my courtesie. No discourse past at all at instant, nor at any tyme that I ever heard or saw, but what was publique, in the presence of my servants, and that upon my reputation was onely casual; ordinary things, noethinge of serious businesse, much less of any state matters: immediately after dinner they went away, and tooke leave in the presence of my familye, but my Uncle Booth stayed that day with me; I know not who they were, nor doe I, at this present, know their names, nor did I then regarde or suspect them to have come upon any plot whatsoever. And I will take it upon my Death, that they did never speake to mee the least syllable of any plot whatsoever, and that all my discourse was onely publique in the presence of my servantes, and noethinge in private. And that I know not who they were, nor what they came about. Neither doe I knowe the person of Moore alias Halsey, nor one Mr. Lissen mentioned in my examination, nor ever saw them, that I know of, neither doe I know any with whom the sayd Halsey or Lissen, had or kept any correspondence, touching any comotion whatever.

P. Leycester.[2]

This passage is a significant illustration of the extreme caution adopted in contacts with strangers, albeit they were most courteously received and entertained. During the troubled and uneasy years of the Protectorate, when the shadow of uncertainty clouded the lives and affairs of ex-royalists, whose every word and act was suspect, it was clearly indiscreet to ask the name of an unknown man who rode up to the door and enquired for an acquaintance and dangerous to enquire too closely into his business. The wise course was to adopt a polite but strictly formal tone, avoiding any conversation in private which could give colour to the suspicions and allegations of government agents.

[1] See Appendix II. For Royalist composition papers preserved at the Public Record Office, see *Cheshire Sheaf*, II, p. 240.

[2] This account is taken from a manuscript book at Tabley, which bears the title "About Sir Peter Leicester being taken Prisoner".

A year later, however, Sir Peter was placed under arrest. His own account of this incident reads:

April 21, 1655. On Saturday, the 21st Ap. next followinge, The said George Warburton, Peter Leycester, and John Booth came to London, havinge only one trooper to conduct them, by the civility of Col. Ireland, who acquainted Gen. Lambert with their comminge immediately. The gentlemen, applying themselves to Col. Worseley, desired that they might not be sent to the Tower, but have liberty to choose their lodgeinges in the Towne, since they came up freely. Through whom, and the favor of others they were not put under restraint, yet could not procure to be examined by the Council, or dispatch from attendance, (though much solicited by them) till the 16th May followinge, nor did these gentlemen ever appear before the Protector or his Councill, but only Col. Worseley was appointed to take their Bonds, which he did, each of them being bound by 2 suretyes to the Lord Protector in £2000, dated May 16th 1655, with condition not to act anything prejudiciall to the L. Protector or the present Government at any time within 3 whole yeares next; To discover all plots against the Protector or the present government, to his Highness and Councill, or one of them, or to one or more Justices of the Peace, and to appeare personally within the tyme aforesayd, when and where he shall be thereunto by the Protector, Councill, or any of them. Whereupon each of them had a certificate under Col. Worseley's hand that such bond and security was given dated May 17th 1655. And so they were suffered to go home, or whither they pleased.

June 24, 1655. But the sayd Peter Leycester, presently after his return to his own house in Cheshire, to wit, June 4th next followinge, was seized by a party of Horse under the command of Col. Lilburne, . . . and kept prisoner at Chester till Jan. 24th followinge, when he was bounde in another Bond of One Thousand Poundes to the Ld. Protector, with 2 suretyes, also with condition to live peaceably, without actinge or plottinge anything prejudiciall to his Highness or Councill, or the Government, and to appear personally before Chas. Worseley, M. General of the Counties of Chester, Lancaster, and Stafford, when and where he shall thereunto be required upon convenient notice, and was thereupon discharged from his imprisonment, without any charge or crime laid against him, by order from Maj. Gen. Worseley to Cap. Ben. Croxton, then Dep. Gov. of Chester.[1]

It was during this second period of imprisonment that the estates of all Cavaliers were assessed so that a tax amounting to the tenth part of their value might be levied.

HISTORICAL RESEARCH

In spite of such interruptions Sir Peter applied himself assiduously to the elaborate and laborious programme of research which he had mapped out for himself. Before the Civil War he had worked through the records in his own possession and on the basis of this information, as his notebooks show, he not only compiled his glossary but also drafted an historical account of his family. At some date after 1640 he embarked upon the systematic examination of charters and records of all types relating to the county of Cheshire and occasionally he extended the

[1] ibid

scope of his studies to include material relating to religious houses or landowning families outside its boundaries. His notebooks show that he was busily employed upon this task in 1646. In that year he was in London and seized the opportunity to work at the Duchy Office—then at Gray's Inn—and in Cotton's library, while in addition he secured access to the collection of Sir Simon D'Ewes. He made transcripts of some of the material examined and these are preserved in a notebook known as Liber E, which has a prefatory note :

> The collections followinge I have not onely with my owne hande transcribed from the originall charters & the couchier bookes remayninge on record in the Duchy Office at Grayes-Inne within cited, but have likewise diligently compared & examined my transcripts with the same authorityes vouched anno domini 1646. P. Leicester.

A year later he had returned to Cheshire and was actively engaged in the collection of materials, particularly those available in local muniment rooms. Thus, the earliest entries in Liber B date from 1647, though he was adding regularly to this volume until 1672. He examined many of these collections of charters and records himself ; but he also obtained large numbers of copies which were the work of well-known antiquaries and scholars of the day and he was indebted to the labours of gentlemen whose tastes and interests were similar to his own.[1] In this way he was able to secure materials which would otherwise have been unaccessible to him. As he steadily accumulated transcripts in his various notebooks his interest gradually centred on the gentry of Bucklow Hundred—the division of the county in which he lived—and the project for his *Historical Antiquities* took shape.

As a research worker he showed marked ability to arrange and classify materials in order to facilitate easy reference to them. A good indication of this is given in his description of the way in which he had arranged his own deeds and evidences. This occurs as a preface to his *Book of Evidences*, vol. 2—a catalogue of his original charters—and runs :

> The originalls placed in each of these particular boxes are fastened together in little bundles accordinge to order and figured on the backe side with numbers and the proper letter of the boxes to which they belonge : whereby they may be easily distinguished & quickly found upon occasion : the letter directinge to the boxe & the number to the particular deede or charte within the same.[2]

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[1] For the relations between scholars and antiquaries of the age see below.

[2] Sir Peter adopted a similar method in arranging the collection of the Leycesters of Toft and mentions in Liber C that he had dealt similarly with seventy-three deeds of the Hallums, which had come into the possession of Lord Kilmorey (f. 200). It is also interesting to compare the system in use in his library with that adopted in arranging charters. At the beginning of the list drawn up in 1672 he states : " Over against every booke you have the capitall letters directing to the shelfe in the study, and the number directeth to the place where such particular booke standeth on that

Moreover, in all his work he set a high standard of historical accuracy. One illustration of this comes from a letter of Sir William Dugdale, which was written to Sir Simon D'Ewes:

You censure me a little too rashly concerning my comparing of Domesday for Mr. Leicester. I assure you I did it as exactly as I could, by his reading the originall. If Mr. Leicester doe know it to be faultye (as you say) that I will not denye, for I believe the originall is soe as well in that Countye, as in this. I am sure where one Towne is mencioned in severall places, they seldome agree in the selfe same orthographye, and in some y^e^ Norman transcribers of those certificates w^ch^ are entred in y^t^ booke have committed very great mistakes, as ABLEI for ARLEI, Derbingerie for Berdingberie, Illintone for Lillintone, and very many as bad or worse: . . . I confesse I told Scipio what he desired by his Letter to me w^ch^ was to have liberty himselfe to compare it upon occasion, but y^t^ request he would not grant, neither, as he protested to me, would he have copyed it for him at y^t^ rate but for my sake, for he had dodg'd soe w^th^ him heretofore, that he told me he would not have more to doe w^th^ him, but y^t^ I earnestly p'suaded him. Yet I doe not approve of his rigidnesse in refusing to let him compare it againe especially if he can instance any p'ticulers wherein he doubts the copy is not true. I hope your interest w^th^ him may obteyne y^t^ favour.[1]

Notes and comments in the books of transcripts made by Sir Peter, in like manner, give a good indication of the importance which he placed on securing accurate texts. If he copied another man's work he added a note to this effect, and he also mentioned whether or not he had been able to collate the copy with the original. If he copied transcripts he not only gave the reference to their owner (and the volume and folio, if they were kept in book form), but he added the name of the man who owned the originals whenever this was known. Almost invariably the date at which any particular transcripts had been made is clearly stated in his notebooks. For example, in a note in Liber C on the charters copied from Bostocke's Book, which had belonged to Sir Simon D'Ewes, he states:

These coppyes aforesayd I had of Mr. Peter Warburton Esquire written at Dunham-Mascy in the house of Mr. William Booth Esquire in the presence of the sayd Peter and Mr. George Warburton, his brother, and Henry Overton, the last day of December, Anno 1573.[2]

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shelfe accordinge to its order: Always remember to account a sinistra versus dextram from the capitall letter on the shelf and so the number (if you miscount not) directeth to the booke."

[1] January 2nd, 1649:—W. Hamper, *The Diary and Correspondence of Sir William Dugdale* (London, 1828), p. 222. Scipio Le Squyer was the Deputy Chamberlain of the Exchequer. For an account of his life and work see F. Taylor, *Bulletin of John Rylands Library*, XXV, (1941), pp. 137–64.

[2] Liber C, f. 135b. Cf. ibid., pars secunda, f. 39. "The more eminent or chiefe families of Cheshire as they were put downe in one of the bookes of John Leland: transcribed by mee out of the Herald's Booke of Cheshire; or again f. 61. Ex minore libro de Whalley penes Radulfum Ashton militem nunc de Deanes Yoard in Westminster excerptum propria manu, Dec. 27th., 1649, per P. Leycester: or f. 292b. Extracted from the originalls penes Massy of Rixton, 1667, by me P.L."

He was meticulous in the examination and criticism of the work of the greatest authorities of the day and checked any point or reference in their work which he wished to include in his own writings. Thus, for instance, he corrected the description of the seal of a twelfth-century charter which had been given in a manuscript of Sir Simon D'Ewes and in the same way he amended Camden's account of the use of royal titles in England.[1] In this respect his views tally with those of Dugdale, who voiced a very strong warning against the practice of copying other men's work without thoroughly checking it.[2] The standards which Sir Peter set for himself can compare with those of the greatest scholars of the century. Thus a critical examination of his method and aims, illustrated by his manuscript books of transcripts which lay behind *Historical Antiquities*, make it possible, for the first time, to form an adequate appreciation of the quality of his published work and to pay tribute to the infinite patience and exacting standards of scholarship which he brought to bear on his task.

In spite of his caution when using the transcripts of others, Sir Peter had access to the notebooks and collections of a large number of scholars and antiquaries. He profited greatly from the study of such manuscripts; and indeed large sections of his own notebooks are made up of copious extracts from those which he had borrowed. He lived in an age when assiduous application to study went hand in hand with the free and generous communication of knowledge to others. The published work of the majority of scholars of the period represents but a small fraction of their total achievement. Their notebooks and manuscript collections represent by far the greater part of their researches and, since these never appeared in print, they suffered neglect at the hands of succeeding generations. Dodsworth expended astonishing energy and industry in the collecting of materials but without ever bringing his work to the point of publication.[3] Dugdale himself, had he died at fifty, "would have been remembered as but one of the most

[1] See a book of the several charges as given to the Grand Jury at Quarter Sessions, p. 5.

[2] A letter to Sir Simon Archer includes the passage: "And herewith all lett me be bold to give you this caution, y^t^ to depend on any mans collections of transcripts with out comparinge them with the originalls, will but deceive you, have they bin never soe judicious. My selfe can instance and shew you by experience, out of some of the laborious gatherings of Mr. Thynn, sometymes Lancaster, and Mr. Charles his successa^r^ nay Sir Richard St. George, and Glover Som'set himselfe, which I have had recourse to, yet there is noe trust to them; for besides a world of grosse mistakes in names of men and places which (not for want of head) they had passed, they have here and there gleaned accordinge to their fancye, and left behinde them as materiall thinges as they have taken, and this I know you finde by Mr. Ferrers. For each man knowes his owne end in what he doth, but not another's." Hamper, op. cit., p. 182.

[3] E. Gibson, *Life of Spelman* (1698); see also A. Wood, *Fasti*, pt. II, col. 25.

industrious of seventeenth-century collectors".[1] Daniel Fleming, a notable figure in Cumbrian society and public life, began work on his historical collections while an undergraduate at the Queen's, but his *Description of the County of Westmoreland* remained in manuscript for almost two hundred years after his death.[2] In the same way Scipio le Squyer's work has not, until recent times, received the attention and praise which it merits. He had placed his work at the disposal of other men rather than publishing the fruits of his researches under his own name.[3] Yet, in contrast to the oblivion which later swallowed up the great collection of manuscripts and collections of transcripts which seventeenth-century scholars produced, their fame was widespread in the contemporary world of learning, the collections enjoyed a great vogue and were known to and appreciated by a wide public. For the seventeenth-century attitude to research is epitomized in the dictum "I do not understand the humour of making discoveries purely for a man's own private information".[4] Scholars lent their collections of transcripts freely, communicated information, and discussed and debated with each other with irrepressible zeal and burning enthusiasm.[5]

Thus Sir Peter was able to make use of an impressive number of collections, both transcripts and originals.[6] The men to whom he was indebted for such assistance include some of the greatest names in seventeenth-century scholarship—Sir Simon D'Ewes, William Dugdale and Roger Dodsworth. Yet the majority of the names mentioned in his notebooks are those of local gentlemen whose enthusiasm, industry, tastes and interests compare with his own, though they have left no

[1] D. C. Douglas, op. cit., pp. 48–9.

[2] F. M. Powicke, *Notes on Hastings Manuscripts*, Huntington Library Quarterly, vol. 1, no. 3 (1938), p. 253, n. 23. Cf. also the case of Thomas Machell, ibid.

[3] See F. Taylor, op. cit. In particular he states: "Squyer's energies seem to have been devoted almost entirely to the preparation of calendars and other aids for succeeding keepers and for those wishing to consult the public records. His interests in this direction are further shown by a grant to him in 1627 of an extra allowance of ten pounds for his 'extraordinary service and charges in sorting, ordering and digesting' the contents of the Westminster Treasuries. . . . He rarely appeared in print, and when he did so it was indirectly, as the result of placing his labours at the disposal of others. Dugdale, for example, in his *History of Warwickshire*, acknowledged his indebtedness to 'my singular friend Mr. Scipio Squyer, now one of the Vice Chamberlains at the Exchequer'"—ibid., p. 138.

[4] W. Nicholson, *Epistolary Correspondence*, ed. John Nichols (1809), p. 39.

[5] Sir F. M. Powicke mentions as features of the age "the daily intercourse of men discussing and lending books and manuscripts to each other, the correspondence with foreign scholars and the helpful or distracting influence of foreign learning upon the Englishmen's minds; the perplexing interplay of political and ecclesiastical interests with historical enquiry, the intercourse with the court, counsellors, lawyers, bishops, and a crowd of men, who by their curiosity about the historical interpretation of the present, would have been remarkable in any age". Sir Henry Spelman and the Concilia, *Proceedings of the British Academy*, p. 349.

[6] See Appendix III.

trace in the published work of the age. Roger Dodsworth built on a similar foundation.[1] The earl of Huntingdon, Sir Simon Archer and Sir Christopher Hatton had the same attitude to history and pursued the same methods of research.[2] Agarde was similarly indebted to a great number of scholars. For instance—within the period 1592–1614—he consulted manuscripts and records belonging to Cotton, Camden, Spelman, Francis Tate, Sir Walter Cope, Richard St. George, Robert Treswell (Somerset Herald), Lord Lumley, Richard Couch, Auditor of the Duchy of Cornwall, Thomas Wardegar, the Registrar of the Bishop of Hereford, Sir Thomas Thyne and Augustine Steward as well as a host of lesser known figures.[3] The movement for the study of mediæval history developed and flourished without direct aid and stimulus from the state or the universities. "It derived from a widespread consciousness of the interest and the importance of the subject capable of stimulating unparalleled industry in remarkable individuals."[4] So far as the collection of material was concerned it rested on a basis of collaboration and communication with others. Country squires, lawyers and clergymen all over England flung themselves into the pursuit of history with ebullient enthusiasm and exemplary patience. The study of local history received a sudden impetus in county after county, though few reached the standard of Dugdale, Thoroton and Leicester. Yet one of the most outstanding characteristics of the age is the extremely personal quality of individual contributions and writings which did not depend upon a common body of ideas and accepted conclusions for their inspiration. Each man followed his own star and left the imprint of his own personality deep in his writings.

Sir Peter's researches were based mainly on unpublished material—particularly charters. He was, however, obliged to refer to printed works and accordingly he collected together a very fine library containing most of the books necessary for his purpose. These included works by the best known antiquaries and historians of the age, such as Spelman,

[1] The collections to which he had access are listed N. Denholm-Young & H. H. E. Craster, "Roger Dodsworth and His Circle, Yorks." *Arch. & Top. Journal*, vol. 32 (1934), pp. 17–32.

[2] F. M. Powicke, *Notes on the Hastings Manuscripts*, pp. 248–52; D. Styles, Sir Simon Archer, *Dugdale Society Occasional Papers*, no. 6; and note in particular a letter of Sir Symon Archer to Thomas Habington: "Sir Christopher is a generall sercher of all antiquityes concerning the whole kingdome, but chiefelye Northamptonshire his owne country. It doth cost him an hundred poundes per ann. in abstracting Records.—Sir Christopher hath almost an hundred bookes of his owne abstracting, of very choyce antiquityes generally for the whole Kingdome. He is a man of a great estate, and a very free and courteous gentleman in communicating any antiquityes he hath; and I hope to bring you acquaynted with him"—Hamper, op. cit., p. 171.

[3] Rylands Lat. MS. 318.

[4] D. C. Douglas, *T.R.H.S.*, 4th series, XXI (1939), p. 34.

Camden, Dugdale, Vincent, Speed, Twyne, Prynne and Wood. He purchased those county histories which were available in his lifetime—William Burton's *Description of Leicestershire* (1622), Dugdale's *Warwickshire* (1656), and Thoroton's *Nottinghamshire* (1667). The list of chronicles, which found a place in his library, is very impressive; to mention only some of the most famous authorities, it includes Asser, Gildas, Bede, the de Scriptoribus Brittaniae of Bale, Eadmer, Roger of Wendover, Gervase of Canterbury, Roger of Hoveden, Henry of Huntington, Matthew Paris, Florence of Worcester, Harding, Haywood, Hall, Hollinshed, and Rushworth. Few contemporary libraries in Cheshire can have compared with this collection,[1] which contained 1,332 volumes.

By 1646 Sir Peter had set to work to collect the materials for a local history, but it took him over twenty years to complete his task, for *Historical Antiquities* was not published until 1673. The work was in two volumes: "The first treating in general of Great Brettaine, and Irelande. The second containing particular remarks concerning Cheshire—Faithfully Collected out of Authentic Histories, Old Deeds, Records, and Evidences, by Sir Peter Leycester, Baronet.—Whereunto is annexed a Transcript of Domesday Book, so far as it concerneth Cheshire, taken out of the Original Record."[2] The Cheshire section in particular is most important, as it has not been superseded, but served as the basis of the nineteenth-century county history of Ormerod.[3] The labour and effort involved in the production of a county history were prodigious—as Dugdale points out in one of his letters:

> As to what your lordship proposes to me concerning the antiquities of Leicestershire; it cannot be expected from me, had I never so much given me to undertake it; by reason that the materials for it cannot be got together in a few years; and that this is the seventieth year of my age. It must be a much younger man that shall undertake such a work, and whose genius totally inclines thereto; for money cannot hire any other to take the pains as I have done in that for Warwickshire. Nor could I ever have accomplished it (i.e., the Antiquities of Warwickshire), but that my delight in the work carried me through all discouragements, toil and difficulty. And where such a one is to be found, passes my skill to tell you.[4]

Sir Peter brought the requisite patience and enthusiasm to his task no less than the scholarly ability which such a work demanded. Even today no student of the history of Cheshire can afford to neglect his book nor the unpublished collections on which it was based.

[1] The full text of his library list of 1672 is published in Appendix IV together with selections from other library catalogues drawn up in his lifetime. Cf. The list of books and MSS. forming the library of Scipio le Squyer, printed F. Taylor, op. cit., pp. 146–64.

[2] Title page to *Historical Antiquities*.

[3] Much of the material in Ormerod, which does not appear in *Historical Antiquities*, came from the manuscript collections of Sir Peter Leicester.

[4] F. M. Powicke, *Notes on Hastings Manuscripts*, pp. 252–3.

One of the first consequences of the publication of *Historical Antiquities*, however, was a long and involved dispute with a kinsman, Sir Thomas Mainwaring. Sir Thomas claimed descent from the Earls of Chester, by marriage of one of his ancestors with Amicia, daughter of Hugh Ceivilioc. Sir Peter asserted that she was but an illegitimate daughter, and stated his reasons for this with minute care.[1] His adversary rushed into print with a pamphlet in defence of her legitimacy—" A defence of Amicia, daughter of Hugh Ceivilioc, Earl of Chester, wherein it is *proved* that she is not a bastard." Sir Peter replied to this and eventually three pamphlets were exchanged on either side.[2] Finally there was a legal hearing of the case in court at Chester and the verdict was given in favour of the Mainwarings. Others, however, estimated *Historical Antiquities* at its true worth, and gave Sir Peter the credit for his achievement which he so richly deserved. Thus, for instance, Randle Holmes intended to dedicate his *Academy of Armoury* to him, but as both he and his son, Sir Robert, died before it was completed, the book was eventually dedicated to his grandson, Sir Francis Leicester.

SCHOLARSHIP AND CULTURE

Though Sir Peter's most outstanding achievement and the bulk of his work lay in the field of historical studies, he found time to explore other fields of knowledge and to read and appreciate contemporary literary works and the writings of ancient Greece and Rome. He was well read in political theory and, moreover, like the majority of his contemporaries, he was keenly interested in theology and theological problems, which he studied in great detail. He remained a man of letters, distinguished for his wide general culture, rather than a specialist who confined himself to a narrow field of studies: for he lived in an age when the scholar made the whole field of learning his province and delight. Thus, his manuscripts included small treatises on mathematics, astronomy, and surveying. A keen and accomplished musician, he had a very well stocked music room and he listed its contents in detail; his musical instruments, of which he kept a careful inventory, he bequeathed, together with all his books, to his heirs, the lords of Tabley.[3] Although he must have had little opportunity to see plays, since he spent most of his life in the country—and moreover the theatre was proscribed by the Puritans—he was keenly interested in contemporary drama. Dramatists whose names appear in his library list are Randolph, Richard Head, Beaumont and Fletcher, Boyle, Ben Jonson, Shakespeare and Etherege. He knew something of Greek drama too, for he owned a

[1] See *Historical Antiquities*.

[2] The pamphlets published during this controversy are edited in the Chetham Society, vols. LXXVIII, LXXIX, LXXX.

[3] Appendix V. Library List 1670, NN num. 60.

book of comedies by Aristophanes. Of Latin plays, those of Plautus found a place in his collection. Plautus must have appealed to him strongly, for he made a verse translation of one of the plays—*Casina*. The opening lines of the prologue give a good impression of the quality of his verse and of his ability as a translator.

God save you good Spectatours (& gallant Gentlemen)
who do set much by credit, & credit by you.
If I have spoken truthe, give me a cleare signe
That I may know you favour me from ye beginninge.
Whosoever use old wine, I count them wise,
& those that willingly do see old Playes:
since you are pleased with old deedes & wordes
'Tis likely then old playes should please you more.
for these new comedyes which now come forth
are far more base & vile then our new coines.
When by the People's rumour we understood
You earnestly desired Plautus playes
Wee did set out his ancient comædye
w^{ch} you approvid who are of the elder sort.[1]

The play, in this English translation, may have been acted at Tabley for the entertainment of Sir Peter's friends and tenants. In addition to plays Sir Peter read a great deal of poetry. His library included the works of Chaucer, Cleveland, Cowley, Davenant, Donne, Drayton, Ben Francis, Herbert, Randolph, Spenser, Sir Philip Sydney, Suckling and Waller, while classical writers were represented by Homer, Hesiod and minor Greek poets, Horace, Martial, Ovid and Vergil. He was himself a competent versifier, for he has left behind a small manuscript book of his poems. He usually wrote in rhyming couplets and imitated the conceits which were fashionable in his day. The poem "To his Viole" gives a good impression of his technique and expresses something of the pleasure which he derived from music.

TO HIS VIOLE

Come Sweete Companion, Solace of my life,
Asswager of my Cares, another wife;
Let us retire into some shady Place,
where with my Circlinge thighes I may embrace
and aptly hugge thee, till thy tremblinge stringe
cause the sweete friskind ayre to dance & singe:
Whiles I bestride thy belly, Sweetest Mate,
It is expected we should propagate:
The numerous issue of thy pleasinge mirth
Are all Abortives, perish in the Birth.
oh I could wish the Sportes of all our leasure
might like the Spheres move in Eternall pleasure.
Embleme of Heaven! fit for the feasts of Jove;
where's nothinge else but harmony and Love.[2]

[1] From a notebook entitled *Rents of Sir Peter Leicester*.
[2] *Poems and Characters*—N num. 9, p. 8.

He also attempted Latin elegiac verse on the death of Thomas Leigh, a neighbour and a merry companion, who had amused King Charles the First and his Queen by giving an imitation of the playing of ten musical instruments.[1] He wrote on several other subjects—such as "On a Watche sent to his Mistress", "On a Lady having spotted her fface with Blacke Patches, and with Hat and ffeather on her head as was the mode about 1639", "A Good Wife", "On the Coronation of Charles the Second, Kinge of Greate Brittayne", "On Colonel George Monke, his Restoringe of the King, Anno Domini 1660" and "A Meditation on Troubles". These are typical of the subjects in vogue in his day, for he lacked the power to write on original themes or in a distinctively personal idiom. Yet, if his verse was not inspired, by careful attention to construction and polishing he was able to turn out creditable though conventional productions.

In prose he produced a series of "Characters" which show considerably more merit than his verse. These were short descriptions of various types of men—a carpenter, a miller, a lawyer, a judge, a good musician and a drunkard. That on "A Lawyer" gives a very good impression of the style and content of these paragraphs:

A Lawyer is a wranglinge Companion, one that strouts it out in a brave manner and impudent speach: A very Domineeringe man in West-minster Hall: Hee cannot pleade well, unles the Sphere of his tongue be whirled about by the Primum-Mobile of a ffee; and then it runs at noe ayme: Just like Baalam's Asse, never speaks but when *Angels* appeare: and indeed hee doth the best, when he is most used; whiles all other thinges grow the worse for the wearing: Hee selles his very breath and wynde, like a Wizzard that sells Mariners prosperous Gales: The Depth of his Arte is but to be acquainted with Proceedinges of the Courtes and to draw up formes of writs: ffor if he have so much learninge as to write true Latine he goes beyond the profession: And therefore to save his Credit he must have store of Dashes and abbreviations: ffor Lawyers now have almost gotten a Peculiar Language called Lawyers —latine: though I beleeve such was not in use at the Confusion of Babel, but by the confusion of Bablinge hath crept in: These men are like a discordinge Musicke, and doe not onely differ themselves in opinion, but set other men togather by the Eares: Gullinge them of their moneyes, and estates too oft-tymes: They have almost wrangled themselves out of credit in the world: for there is no wise man (if he can helpe it) that will have to doe with them. In a word, were it not for that little formality of a Gowne they would be counted A Company of Saucy-ridiculous-Praters: How can I choose but hate them, since every man growes weary of their Company. If he lives in the Countrey, all his poore neighbours are more affrayd of him than a Bug-beare: And whatsoever he doth, he urges Law for it though there be noe Conscience in it: He is one that standes much uppon his *Tearmes*, and then his wife Keepes Vacation: He longes for the Assizes, as the Principall tymes of Gatheringe in his Rents: And all those who bringe him any are Tenants in ffee-Simple: The tyme of his joy, is others sorrow: But he cares not if they be all hanged a rowe so he get by it. And when he hath

[1] Appendix VI.

brought the prisoners to the Gallowes, there he leaves them and returnes backe to his owne house. Then if he puts his Case well, his wife makes much on him: whereafter hee is sufficiently wearyed with much *Standinge*, you shall have him at the next *Sittinge*: And there hee Pickes up his *Crummes* againe. . . .[1]

These "Characters" show that he acquired a high degree of skill in the balance of phrases and the power to compress an idea into a few well chosen words.

In his theological studies Sir Peter found ample scope for the exercise of his powers of analysis and his talent for lucid exposition of highly technical ideas. He read widely on theological subjects [2] and, though he did not write for publication, his manuscript books contain some theological writings. Thus, in 1653 he wrote a treatise, which is preserved in manuscript—Liber M—of which the title page runs:

Two questions Concerninge the Soule of man examined and illustrated.
1. Whether it bee created or Procreated?
2. Whether it be Mortall, or immortall?
By mee
Peter Leycester.

Wherein is also discussed a third question, as a necessary Introduction to the two former, Whether the Soule be a Substance, or an Accident! The first paragraph of Chapter I is an excellent illustration of his attitude to knowledge and his devotion to the pursuit of truth. In it he examined and weighed the statements of all authorities who had written on the proposition with which he was concerned. He began:

ffor the better introduction to the busines in hande, and that noe man may censure mee rashly, because I run not with the Common receaved opinions herein, (ffor in the presence of God I speake it, my onely ayme is to sift out the truth to the best of my iudgement by well weighinge all the Arguments Pro and Con; and that without any Preiudicate opinion on either side, or vaine ostentation to deliver any thinge out of singularity of opinion). Let us ever remember that grosse absurdityes have beene entertayned by Generall Consent: To instance onely in the Antipodes, which were denyed by wise men and greate schollars: as Saint Augustine lib. 16° de Civitate Dei, ca. 9: Lactantius Institut. lib. 3° ca. 24. Bede de ratione temporum, ca. 32, and to adde one other memorable passage thereof out of Aventinus lib. 3° Historiæ Bavaricæ, one Virgilius a Bishoppe was condemned for a Hereticke in the tyme of Pope Zachary, about the yeare of Christ 745, because he held that there were Antipodes; as I fynd it mentioned in Keckerman's Geography, Lib. 1°, ca. XI°. Wherein experience and reason hath now evidenced the same so farre, that in our dayes he would be esteemed a mad man, who should deny it. Questionless there are many secret Truthes, which

[1] *Poems and Characters*—N num. 9. For the origin and vogue of these "character",—the favourite prose amusement of the age—see C. V. Wedgwood, *Seventeenth Century English Literature* (Oxford, 1950), pp. 25–7.

[2] See his library list for the large number of theological works in his possession.

the Ancients have passed over, that are yet left to make some of our Age famous for their discovery: and many erroneous Tenents doe & have prevayled partly through the neglect of due examination, when men are Content still to plod on in beaten Principles and are affraid of entertayninge any thinge that may seeme to Contradict them: partly through defect of Solid Judgement, many Ages producinge quicker Wits and better iudgements then others.

But because these questions of the Soule haue produced severall opinions of wise & learned men, which sheweth the same to be very intricate and difficult; wee will put downe all Arguments of Moment on the one side as well as on the other: that so the weightiest reasons may carry the iudgement more clearely into truth, if it bee possible.

Sir Peter quoted the evidence for and against each argument with equal care and skill so that he could safely leave his reader to decide which of the arguments were weightier.

The text of this work was submitted to Samuel Shipton, Rector of Alderley for an opinion on it. This gave rise to a long and closely argued correspondence—some of it in Latin. All this Sir Peter copied into Liber M, where it serves as a commentary on the text and a criticism of it. The work was finally submitted to the bishop of Chester in 1663 and he returned it with a long letter, discussing the points and problems of which it treats and commenting on Sir Peter's handling of them. Thus, though the treatise was never published, it held the interest of those who read it in manuscript. Its preservation makes it possible to appreciate Sir Peter's achievements in the field of theology and, since he also preserved the correspondence relating to it, to know something of the opinion of his contemporaries as to its merits.

PUBLIC SERVICE

Sir Peter was not only a scholar but also a man of action who could win distinction by the prominent part which he played in local affairs. After the Restoration of the monarchy he was created a baronet—on August 10th, 1660, as a reward for his services to the crown. The Earl of Derby, Lord Lieutenant of the county palatine of Chester, appointed him one of the deputy lieutenants on October 3rd, 1660. He served in this capacity for the remainder of his life. In addition he became a Justice of the Peace and performed the work involved most conscientiously and enthusiastically. It was indeed by no means unusual for a gentleman in the seventeenth century to display great ability as a man of action even while winning for himself a reputation in the world of letters. In particular the study of history was considered an essential part of the background and education of the man who aspired to play a part in politics, whether local or national. The attitude of the age is well summed up in a sentence from the *Diary and Correspondence of Sir William Dugdale,* who had himself succeeded in combining scholarship with public

service.[1] Sir Simon Archer lived and worked in the same spirit.[2] Moreover patriotism centred on local rather than national affairs and activities. It was an age when men who had won fame and held great offices were none the less willing to serve devotedly in the unpaid administrative offices of their own county.[3] They approached their tasks governed and guided by the firm conviction that it was safer and wiser to rely upon tradition and precedent than to build up general theories detached from the realities of human experience and to impose Utopian plans and principles on an imperfect world. Their approach to politics and administration is aptly expressed in a contemporary eulogy of history: "Man without learninge and the remembrance of thinges past falls into a beastlye sottishnesse and his life is noe better to be accounted of than to be buryed alive."[4] This serves as an excellent summing up of Sir Peter's view, for his life and work indicate beyond doubt his deep conviction that the lessons of history should be applied to contemporary politics.[5] In consequence he saw no dividing line or antithesis between his public services and his private studies, but regarded them as complementary and closely related activities.[6]

Sir Peter's work as a Justice of the Peace will be discussed in the introduction to his charges to the Grand Jury at Quarter Sessions. His work as a Deputy Lieutenant can more conveniently be mentioned at this point. It could be studied in detail since he carefully copied out all correspondence and instructions received in this capacity into a notebook —Liber W. Study of this manuscript indicates that most of his activities

[1] See above, p. xv.

[2] As an antiquary he was indefatigable in copying out records and he also employed amanuenses and searchers; he left a library worth £350; yet he found time for service in the interests of the local community. When the Quarter Sessions records begin in 1625 he was already a justice and he had served as treasurer of Kineton Hundred. He was knighted on August 24th, 1624, and in 1627 was high sheriff. Except for a short interval after the execution of Charles I he was in the commission of the peace until his death in 1662. No other magistrate during that time approached his consistent record of attendance at sessions and was so often deputed to deal with business out of court. P. Styles, op. cit.

[3] For example, in Hampshire the Bench included some of the greatest names in the legal profession. Sir Nicholas Hyde sat in 1630 and following years, when Chief Justice of the King's Bench, Sir Thomas Wylbys, Clerk of the Crown of the Court of Chancery, Sir R. Reynolds, Solicitor General in 1650 and 1651, all served as justices of the peace. Moreover they sat as Hampshire landowners, not as professional guides to their colleagues.—J. S. Furley, *Quarter Sessions Government in Hampshire in the Seventeenth Century* (Winchester, 1937), p. 11.

[4] Hamper, op. cit., plate III.

[5] In particular this is emphasized in the speeches which he made at Quarter Sessions—see text.

[6] This aspect of seventeenth-century life has been treated in detail by D. C. Douglas, *English Scholars*. Note in particular his summing up: "Historical contemplation became a mainspring of political action, and the work of the scholars supplied the weft in the loom of English public life"—op. cit., p. 17.

were connected with the enforcement of the act against unlawful meetings and conventicles and surveillance over Papists, Quakers and other sectaries in Bucklow Hundred. The list of Recusants and Nonconformists which he copied up should prove of interest to students of the seventeenth-century social or ecclesiastical history of Cheshire. Sir Peter also included a useful list of parish churches and their incumbents in Bucklow Hundred in 1662 which indicates that a number were still served by Presbyterians. In the same way these papers give a very good impression of the extent to which the militia was active in the period between 1660 and 1676 and a very vivid picture of the fear of armed rebellion which swayed those in authority, both in the county itself and at Westminster. Several plots against the crown and the public peace were in fact discovered and the offenders brought to justice. Then too, on August 10th, 1664, Sir Peter accepted office as Treasurer for the militia of the hundreds of Bucklow, Macclesfield and Northwich. He copied the militia accounts into one of his notebooks for the period 1668–1672, noting in conclusion that the total sum spent over that period was £85 2s. 0d.—this being less than the amount collected.

LIFE AT THE MANOR HOUSE

Throughout the Protectorate and after the Restoration Sir Peter was living the life of a country gentleman at the manor house at Nether Tabley. On November 6th, 1642, he had married Elizabeth Gerard, the third and youngest daughter of Gilbert, Lord Gerard of Gerard's Bromley, Staffordshire and of Eleanor, daughter and heiress of Thomas Dutton of Dutton. They had four children—a son and three daughters —who were all baptized in the church of Great Budworth, where the Leicesters were usually married and buried. As one of Sir Peter's books of accounts has been preserved many details are known of his manner of life and his domestic arrangements.[1] The accounts include information about his expenditure on food, clothing, and coals for the household, and also on workmen's wages paid for various jobs required on his estates. Life in the manor house was comfortable, though he did not tolerate excessive luxury. Oysters are the only delicacies which appear fairly frequently among the entries. Again, though tailor's bills and other accounts for clothing were a major item in their annual expenditure they did not spend immoderately under this head. A few references to Sir Peter's expenses on miscellaneous items occur—such as 8s. spent on jury dinners on July 14th, 1651, 6s. 8d. paid for a search in the Exchequer on February 21st, 1648, and £4 sent to Mr. Dugdale in 1649 for a copy of Domesday Book.[2] References to payments for books also appear, but it is unfortunately not possible to trace all his expenditure on his

[1] Appendix VII.

[2] i.e. a transcript.

magnificent library.[1] He maintained a large domestic staff; thus, in 1647 there were eighteen servants and their wages for the year amounted to £42 15s.; by 1669, however, he had reduced their number to twelve and the wages' bill was only £32 6s. 8d.[2] He kept a good stable [3]—a necessary expense in an age when it was impossible to travel except on horseback or by coach. Sir Peter's income was between £800 and £900 a year,[4]—of which half came from the demesne of Nether Tabley—and his expenditure was kept well below this figure. As a result he was able to meet the heavy fines imposed by Parliament after the defeat of the monarchy without suffering undue privations.

The life of the household at Tabley was orderly and well regulated. Family prayers were read each morning and again at night. In 1659 Sir Peter copied up into a little book a number of the prayers read on these occasions—U num. 66. For himself he prayed it:

> Give me Soundness of Judgement, Quickness of Wit & apprehension, firmnes of memory, and resolution to put in Practice every good Lesson I shall reade or heare, to the glory of thy greate name, and the everlastinge comfort of myne owne Soule.
>
> Give me wisdome to manage all my Affaires with discretion & good understandinge.

His prayer for his children was similar.[5] It gives a very good impression of the qualities and attributes which he most admired in men and tried to foster and increase in himself and his family. Moreover he worked to encourage religious observances among his servants and tenants and to this end a private chapel was built at Tabley during his lifetime. The accounts for the building of it have been carefully preserved in his book of disbursements.[6]

The list of books kept in the parlour for daily use give a good impression of the subjects which were the constant concern and preoccupation of Sir Peter and his family. Both the Bible and Prayer Books found a place—including Greek texts and a Greek lexicon to assist in the reading and studying of them. Legal books and manuscripts indicate

[1] "March 30th, 1670.—For ye carriage of the bookes sent from Oxford by Mr. Deane o 1 6d. April 1st, 1674. To Mr. Robert Clavell of London in full of all accounts for bookes bought of him by me, or printinge any bookes for my use, in full to this day £5 18 od.; also paid to him a further £3 on books on Dec. 30th; also on Aug. 8th 1676 £6 13 8d. and £2 5 8d. July 25th to Mr. Minshull of Chester, stationer for Dugdale's second part of the Baronage of England o 16 od. The details of the cost of the three books purchased for use in listing his own deeds and evidences are given—June 17th 1657. To Mr. Knob for bindinge 3 bookes o 8 od. June 19th 3 pairs of clasps for those books 10s."

[2] Appendix VII. [3] ibid. [4] ibid.

[5] "Blesse them with health, ingenuity of wit, capacity of learninge, & good understandinge; with all opportunities & advantages of good education, sober & honest company, pious tutors and governours. . . ."

[6] See Appendix VIII.

the interest which Sir Peter took in his work as a Justice of the Peace and the conscientious manner in which he approached his duties. Wharton's *Almanack* with notes on chronology and his *Gesta Britanorum* testify to Sir Peter's historical interests.[1] Again, in his closet below the study he kept a small collection of books which were regularly in use. These included not only school books for boys, but also classical, historical and theological works, some of them duplicates of works to be found in his study but others available only in the closet.[2]

Life was not, however, dull and serious, for, though the days were principally devoted to study, business affairs both public and private, and religious observances, they were enlivened by the entertainment of friends and acquaintances, music, literature and art. Thus, for example, at Christmas in 1671—for festivals were always merry occasions—servants and neighbours acted in one of Shakespeare's plays, *The Taming of the Shrew*, to which Sir Peter wrote an epilogue in verse:

> Gentle spectators, The play now ended is:
> We beg your pardon for what is amis:
> Our learned Author teacheth you to Know
> The true right way of taming of a shrow:
> Sure it is worth your practice: and the rather
> That each can tame a shrow, but he that hath her,
> You cannot here expect, that you should see
> Or courtly dress of Acting of a Comedy:
> Ffor our dull climate and our under Stile,
> Comes short of those above full seaven score mile.
> Nor, let brave Shakspeare suffer by our stage,
> Hee's a refined wit of this last age:
> Our Ayme is mirth: and if from your smooth brow
> We gaine a smile, 'tis all we aym'd to doe:
> And if you Like't, we beg for our good hap
> A Hem from th' men, and from the weomen a clap.[3]

A man of great determination and strongly independent views, Sir Peter was not easily swayed and influenced by others. Indeed he attempted to guide and direct the activities of those around him and his directions to this end were given in minute detail. The terms of his will, for example, provide an excellent illustration of this. He was anxious that his death should not be an occasion for immoderate and unnecessary expenses: four tenants were to prepare his body for burial and they alone would attend the funeral; no ribbons nor gloves nor other items of mourning were to be bought; his grave was not to be marked by an ornate and expensive stone but by a simple marble tablet bearing his name, the date of his birth, his age and the date of his death; alms were not to be distributed indiscriminately to the vast concourse of beggars

[1] Appendix IV. [2] ibid.
[3] *Poems and Characters*—N num. 9, f. 176.

which normally congregated at the scene of a funeral, for this would benefit the undeserving poor and the rogues and vagabonds who swarmed abroad in the towns and villages of seventeenth-century England ; instead money was set aside for the benefit of five impoverished persons resident at Nether Tabley ; finally, the parson, who preached at his funeral service, was to have £3 to buy a new black gown—provided he did not say anything in his address which had not been dictated by Sir Peter, whether creditable or discreditable. The most prominent trait of his character, however, was his devotion to the pursuit of truth, whether in history or in politics. This is perhaps best summed up in the passage in his *Historical Antiquities* which gave rise to the celebrated 'Amicia' controversy :

> Now because I found at my placing Amice, sometime the wife of Raufe Mainwaring, Judge of Chester, amonge the base issue of Hugh Ceivilioc, Earl of Chester ; and also that I am informed, that three eminent Judges and four Heralds are of the opinion that she was legitimate, and not a base daughter, it is very necessary that I put down heere my reasons why I have so placed her, protesting withall that I have not done it out of any prejudicate opinion or calumny intend in the least, but only for the truth's sake, accordinge to the best of my judgement, and that after a long and diligent scrutiny made herein, for I must even acknowledge myselfe to be extracted out of the loyns of this Amice by my owne mother ; but you know the old saying of Aristottle : " Amicus Plato, Amicus Socrates, sed Magis amica veritas."

Posterity cannot devise a tribute more appropriate to his memory than this saying of Aristotle.

II. SIR PETER LEICESTER, JUSTICE OF THE PEACE

ALTHOUGH he was a practical man with wide experience as a Justice of the Peace and a Deputy Lieutenant of the county, the charges which Sir Peter gave to the jury between 1660 and 1677 were carefully revised literary productions rather than straightforward summaries of the business in hand. A scholar of distinction and great erudition and a gentleman of wide and liberal culture, he could draw upon his reading in philosophy and history to illustrate his political theories. Thus he did not hesitate to quote freely from Aristotle—in the original Greek—and occasionally he went back to Latin authors, in particular Cicero and Seneca. In the same way he was well versed in the history of the Middle Ages and deeply interested in the history of English law. He drew freely on these studies to instruct his audience the better in the nature of their responsibilities and the extent of their powers. As he shared the passion of his age for theological studies and quotations from the Scriptures many of his illustrations are taken from the Bible and some of his political theories are fortified by references to it. He might even embark upon textual criticism.[1] At the same time he was fully abreast of contemporary events, on which he made vigorous comments. For instance, he drew the attention of the jurors to William Penn's Book and went into the reasons which led him to condemn it : [2] he commented on the efforts of Colonel Birch to secure religious toleration ; [3] and he discussed in detail the problem of conventicles and also the administration of the poor law.[4]

These charges provide excellent illustrations of his habit—discussed above—of applying the lessons of history to the problems of contemporary politics.[5] Thus, in discussing the events leading up to the death of Charles I and the establishment of the Protectorate, he referred to the deposition and death of both Edward II and Richard II and indicated the points of comparison and contrast between the fourteenth-century proceedings and the trial and execution of the late King. Contemporary scholars, it is true, studied the fourteenth-century depositions in detail and commented on them freely, but Sir Peter's exposition differs from the majority of these accounts since he cited the evidence of these depositions as part of the proof that the men who had imprisoned and beheaded Charles I were traitors, whereas the majority of contemporary writers cited them as precedents for the removal by Parliament of princes obnoxious to the people.[6] Again, as he was well acquainted with the works of mediæval jurists in addition to the works of the leading legal authorities of his own age, he was not content to summarize the laws as

[1] pp. 41–2. [2] ibid., p. 76. [3] p. 46.
[4] pp. 80, 52–6. [5] pp. xxiv–xxv. [6] pp. 9–10.

they stood. Instead he traced laws, institutions, titles and even ideas back to their origin and through all the stages of their development. His account of the origin and development of the office of Justice of the Peace is a good example of his method.[1] In the same way he was not concerned with historical fact only in so far as it strengthened his arguments, but in addition he seized the opportunity to correct errors which he had noticed even when the corrections contributed nothing in support of his main theme.[2]

His speeches can therefore be compared with the pamphlets and treatises on political theory which were published in large numbers, particularly during the Civil War and under the Protectorate. A detailed knowledge of such authorities and authors provided a common background for theorists of every party and shade of opinion. Thus, for example, Lilburne's writings and quotations indicate his familiarity with many of the works studied and referred to by Sir Peter Leicester, although he was an exponent of fundamentally contradictory views. William Prynne wrote of Lilburne [3]

> I am credibly informed that this upstart monstrous lawyer since he was called to the bar of Newgate, where he now practiseth, hath the Book of Statutes there lying open before him, which he reads and interprets to all the poor ignorant people that visit him, telling them that he will in a few days make them understand the laws and statutes of the realm as exactly as any lawyer in England.[3]

Lilburne's writings confirm this pre-occupation with law, for his main sources were Sir Edward Coke's *Institutes*, *An Exact Collection of all Remonstrances, Declarations, Votes . . . and Other Remarkable Passages between the King's Most Excellent Majesty and His High Court of Parliament* (1643) and, in view of the atmosphere of religious controversy so characteristic of the age, the *Old Testament*. He referred less frequently to Holinshed, Speed, Raleigh, Martin, Daniel, *The Mirror of Justices* and *The Dialogue in English between a Doctor of Divinitie and a Student of the Laws of England*, which was a translation of Christopher Saint-Germain's *Dialogus de fundamentis legum et de conscientia*.[4] Sir Peter was equally familiar with these works. He had read more widely, but his method of writing on political theory was similar.

[1] pp. 72–3; for a list of the law books in his possession see pp. 207 ff.; he also compiled a manuscript notebook entitled "Collections touching a Court Baron"; other legal drafts are mentioned in the footnotes to his Charges to the Grand Jury at Quarter Sessions.

[2] For example, he corrects Bale's statement that Ranulph de Glanville, author of a legal treatise, was the earl of Chester, and points out that the surname of earl Ranulph was Blundeville, which had sometimes been written Blandevilla, pp. 4–5.

[3] *The Liar Confounded* (1645).

[4] For Lilburne's life and works see M. A. Gibb, *John Lillburne the Leveller* (London, 1946).

Sir Peter was one of the most able and ardent exponents of the doctrine of the divine right of kings. "These very wordes we find not in the Bible (Monarchy is of divine right): But by sure consequence out of the Bible, this Doctrine necessarily flowes." [1] God had ordained that some men were to rule and others to be ruled. Indeed, it was written in the Scriptures, "Let every soul be subject to the higher powers." [2] Again, he argued that Monarchy was the most ancient form of government and the natural form, since it had its origin in the authority of a father over his children and household.[3] He discussed and dissected the theory of the sovereignty of the people to dismiss it as false and untenable.[4] His words echo the masterly exposition of the Marquis of Montrose *On Sovereign Power* [5] no less than the speeches and writings of James I. He also developed the idea that a bounded or mixed monarchy was a contradiction in terms. Sovereignty was absolute and indivisible and sovereign power must reside not in the law, or in the parliament which made laws, but in the power by which the law was maintained and executed—namely the King, acting through the officers and justices appointed for this purpose. "Good Government then is the support of a kingdome; Good lawes the support of government; Good execution the support of the Law." [6] The executive was supreme over the legislature. Thus, in dis-

[1] See text, p. 78—note the similarity of his views with those of James I; for example, in his speech before Parliament, 1609, James declared: "The State of Monarchie is the supremest thing upon earth: for Kings are not onely Gods Lieutenants upon earth, and sit upon Gods throne, but even by himselfe they are called Gods"—C. H. McIlwain, *The Political Works of James I* (Camb. Mass., 1918), p. 307.

[2] Milton, on the other hand, used this text in *A Defence of the People of England*, ca. 3, in the course of his argument that the king was under the law and that the kings themselves broke this commandment when they acted contrary to the law.

[3] Milton, op. cit., refused to accept this analogy between paternal and royal authority: "You are in perfect darkness that make no difference between a paternal power, and a regal. . . . Our fathers begat us. Our king made not us, but we him. Nature has given fathers to us all, but we ourselves appointed our own king. So that the people is not for the king, but the king for them."

[4] See text, pp. 59–62. His view is that in all governments there must be some to govern and some to be governed; as the people were to be governed they could not, at the same time, govern. Milton, on the other hand, in *The Tenure of Kings and Magistrates*, argued that rulers received the allegiance of the people on "bond or covenant to obey them in execution of those laws, which they, the people, had themselves made or assented to".

[5] ed. M. Napier, *Memoirs of the Marquis of Montrose* (Edinburgh, 1856), 1, p. 281: "Civil societies, so pleasing to Almighty God, cannot subsist without government, nor government without a sovereign power, to force obedience to laws and just commands, to dispose and direct private endeavours to public ends, and to write and incorporate the several members into one body politic, that with joint endeavours and abilities they may the better advance the public good. This sovereignty is a *power over the people*; above which power there is none upon earth; whose acts cannot be rescinded by any other; instituted by God, for his glory and the temporal and eternal happiness of men."

[6] See p. 57.

cussing the famous maxim " Salus populi suprema lex ",[1] he argued that this was true only in so far as the term " populi " was used collectively to include both the king and his subjects. The safety and welfare of the people was bound up in the authority of the sovereign who ruled and governed them.[2] A good king did nothing inimical to the interests of his subjects, and loyal subjects, men of prudence and foresight, recognized the disastrous consequences which would follow the subversion of established government and authorities.[3]

Closely linked with his ideas on the divine right of kings was his attitude to law and justice. His argument was based on the tenet that " The end of Government is the preservation of a Kingdome or People in peace and safety ; And the due observation of the Lawes is the meanes conducing to that end." [4] Again, he summarized Aristotle's ideas on justice and added appropriate references from the New Testament.[5] One of his speeches opens with a passage on the theme that " Justice is both *corona and columna reipublicae* : The Crown and Pillar of a nation : A Crowne to adorne it and the maine Pillar to support it." [6] On two occasions he used and developed the idea that " Justice is the Greate Maister-Wheele of Government, which causeth the Lower and inferiour motions of a Kingdome to move regularly and in order ".[7] These theories were the common pre-occupation of the age, but Sir Peter's ideas and in particular his talent for lucid exposition of legal and constitutional problems give to his work a strongly individualistic character in which lies its main interest in modern times.

Discussions of political theory formed an introduction to the main

[1] He dealt with this in discussing and condemning Penn's book, p. 172. He makes no reference to Lilburne's pamphlet *England's Birthright Justified* (1645), though he had other works by Lilburne in his Library—see Library list.

[2] For the development of these ideas and theories mentioned in the above paragraph see pp. 52–6, 66–8, 76–7. Contrast the speeches of Henry, late earl of Warrington, made after the Revolution of 1688, who used quotations from Aristotle and the Scriptures to prove exactly the contrary to the above views.—*A Collection of Speeches of the right honourable Henry late Earl of Warrington* (London. Printed for Richard Baldwin, near the Oxford Arms in Warwick Lane, 1694).

[3] Sir Peter appears to have been in complete agreement with the opinion of Clarendon, who argued that it was *inexpedient* for a king to act contrary to the interests of his people, or for subjects to rebel.—*The History of the Rebellion and Civil Wars in England* (Oxford, 1807), Preface, p. viii.

[4] See p. 41. [5] See for instance pp. 41–3. [6] ibid., p. 24.

[7] ibid., pp. 24, 25. Cf. the emphasis laid on justice in *Eikon Basilike* (ed. J. L. Scott, London, 1880), a work which Sir Peter knew—p. 7, commenting on Strafford's death : " the best rule of policy is to prefer the doing of justice before all enjoyments, and the peace of my conscience before the preservation of my kingdoms." Cf. also, ibid, pp. 22–3 : " A continual Parliament, I thought, would but keep the common weal in tune, by preserving laws in their due execution and vigour, wherein my interest lies more than any man's, since by those laws my rights as a king would be preserved no less than my subjects, which is all I desired. More than the law gives me I would not have, and less the meanest subject should not."

business of the day at Quarter Sessions and were followed, in Sir Peter's speeches, by an explanation and detailed analysis of the charge. It was his opinion that " Our Lawes are very good, but they are ill executed ".[1] In particular he complained that two heads of the charge received less attention than their importance merited. In the first place the Act against Conventicles was not enforced with sufficient severity and vigilance. He placed particular emphasis on this since, in his opinion, religious sects were factions, whose aim and intention was invariably seditious. If left unmolested, their subversive activities would end in the destruction of the monarchy and the ruin of the state. For in matters of religion he himself was a " Trimmer ".

> No man's private Opinion in a nicety of Religion, if he will keepe his Opinion to himselfe, will either throwe him out of his liberty or estate: But it is the runninge into Parties by multitudes, which is a greate disturbance both to our Church and State, it is this which our Governours ought Principally to provide against by severe lawes: ffor every Party thinkes their owne religion best; and so must needes run into factions; And by these insolent runninges into Companyes publiquely without Controle, must needes at last bringe Conspiracies and Rebellions against our Present Government, if not timely suppressed.[2]

Secondly, he was most concerned to impress upon juries that it was criminal negligence and unpardonable folly to allow beggars and wanderers to evade the regulations against them and to subsist on the alms and charity of a misguided public. He complained that the number of beggars grew daily and that they endangered both the property and life of law-abiding men. It was clearly a duty to bring such vagrants and miscreants to the notice of the magistrates.[3]

To the modern mind Sir Peter's speeches appear more appropriate to the lecture room than the magistrate's court. Few of his contemporaries would have shared this opinion. Their point of view was that " To know nothing before we were born, is to live like Children; and to understand nothing but what directly tends to the getting a Penny is to live the Life of a sordid Mechanick."[4] These charges brought to

[1] See p. 80. Cf. *Three Charges Delivered at the General Quarter Sessions holden at Ipswich for the County of Suffolk in the years 1691, 1692* by Edmund Bohun, Esq. (London. Printed for Robert Clavell at the Peacock in St. Paul's Church Yard, 1693.)

[2] See p. 78. For admonitions against the toleration of conventicles see also pp. 69, 80–1, 93. Cf. the opinion expressed by Thomas Browne in the *Religio Medici*—" Those have not onely depraved understanding, but diseased affections, which cannot enjoy a singularity without an Heresie, or be the Author of an Opinion without they be of a Sect also."

[3] See pp. 38–9, 52–6, 69–70, 80. Cf. the speeches of the Right honourable Henry late earl of Warrington, op. cit., p. 25.

[4] *The Difference between an Absolute and Limited Monarchy*, ed. John Fortescue (Aland, 1714), p. lxxii.

the notice of the juries the works of a galaxy of writers drawn from many fields of study. They covered all the more important ideas and doctrines over which the political theorists discussed and disputed interminably. Yet they were more vital than mere summaries of the scholarly works which Sir Peter had studied, more stimulating than a rechauffée of the theorists' pamphlets; for he invariably sought to present a reasoned, pertinent and consistent argument, and his quotations and references were no mere parade of scholarship, but were carefully selected to support and sustain his theme. He addressed his audience on the topics which had captured the interest and imagination of the age and tackled the questions which vexed its tranquillity.

A BOOKE OF THE SEVERALL CHARGES AS GIVEN TO THE GRAND-JURY AT SUNDRY QUARTER SESSIONS IN CHESHIRE.

BY ME P. LEYCESTER.

NOTE

The spelling, punctuation and capital letters used in the original manuscript have been reproduced throughout this edition.

A CHARGE to the Grand Jury at the Quarter Sessions held at Northwich January the 15th, 1660; at my first cominge into the Commission; & uppon the restoringe of Kinge Charles the second.

Gentlemen

1660. Comitatus Cestriae.

You are summoned hither accordinge to the ancient lawes of our nation; to make enquiry after all crimes and misdemeanours committed within this county, either against the King's person, or his imperiall Authority in the Quiet Government of his people, accordinge to the knowne lawes of the kingdome; And therefore the pleas of these offences are aptly stiled the Pleas of the Crowne: whereof Sir William Stanford and the Lord Cooke have written learned treatises.[1]

And although I beleeve that most of you are not ignorant of your duty in regard of your former experience; yet it will not be amisse (accordinge to the custome) to put you in mynde of what you are to enquire after; and that as briefely as the nature of the thinge will admit.

I shall reduce all to these ffive generall heads.[2]

1. Traisons.
2. Ffelonies.
3. Misprisions, as well of traison, as ffelony.
4. Premuniries.
5. Other ffinable Offences acted against the Publique Peace.

I shall first in order begin with Traisons: and here it will be necessary to let you know what traison is and what the word signifyeth.

The word (traison) commeth ⟨of⟩ the french verbe trahir which signifies treacherously to betray: from whence our English word betray seemeth to be derived, havinge onely the first syllable added Euphoniae gratia, a frequent Anglicisme amongst us; as we may observe in other wordes, bedight, besmeared, be-headed and the like: now from trahir cometh the substantive traison in the Ffrench, which we contractedly call traison: and the Ffrench verbe (trahir) comes from the latine (tradere); So that the traison is properly the Act of Betrayinge; ffor in all Traisons a man forfeiteth that faith and trust, which he ought to beare towards another: and a treacherous knave is shunned by every man, as unfit for the common society of men: I define therefore

[1] For the editions of legal treatises used by Sir Peter Leicester, see Appendix I.

[2] Lambard, on the other hand, was content to arrange the articles under two main heads: ecclesiastical causes and Lay causes, though he later sub-divided the lay causes into felonies and offences under the degree of felony: *Eirenarcha* (1619), pp. 410–20; 420–9; 429–84.

Traison thus—Traison is the breach of that ffaith and trust, which one man ought to beare towards another; So that every treacherous Act between friend and friend or man and man is traison in the courte of heaven; but the Traison which our Law takes notice of, is the more eminent breach of ffaith from ⟨some⟩ inferiours to their superiours, more peculiarly due from some persons above others, and that by a stricter tye and obligation both from God and Nature.

The Law distinguisheth it into two branches: High-Traison or Grand-Traison, which is alwaies against the Royall Person of the Kinge or his Authority: and Petty-Traison, which is so called from the French word (Petit) signifyinge small or inferiour: because as Grand Traison is from the subiect towards his soveraigne; so pety-Traison is against inferior Persons, as of the servant against his Maister, the wife towards her husband, and the clergy man towards his diocesan Bishoppe; to whom these owe faith & obedience.

Grand traison is the execrable breach of that faith and obedience, which is due from every subiect unto his lawfull Soveraigne, by some act or thinge committed, or intended, against the King's Person, or his Imperiall Crowne and dignity.

It is called in old law bookes crimen laesae Maiestatis; the crime of violated Maiesty: so Glanvill lib. 1, ca. 2, Crimen quod in legibus dicitur Crimen laeseae maiestatis &c. ffor laesa Maiestas is used as laesa Pudicitia: the violation or infringinge of the supreme power, stiled Maiesty, is that which makes it properly High Traison: and it appeares to be called so in law before Glanvill's tyme: and he was cheife Justice of England under Henry the second; and the first that reduced the forme and modell of our law into writinge; Omnium Primus *ἔγγα φον* reddere aggressus est, saith Spelman of him in his Glossary;[1] for before Glanvill's tyme the forme of our law was *ἄγραφοντι* not put into writinge.

Concerninge whom give me leave by the way to note the grosse mistake of Bale de Scriptoribus Britanniae, Cent. 3, num. 93[2] thus Ranulphus de Glanvill, Comes Cestriae nobilissimi Generis in utroque iure eruditus, librum de legibus Angliae composuit; whom Pitseus followes close to the heeles herein, in his booke de Illustribus Angliae Scriptoribus;[3] so easily doth errour spreade when it is once fomented: where they clearly confound Randle Glandevyle and Randle Blandevyll for the same person: easily done (I confesse) havinge but the difference of one letter; one anciently written Ranulphus de Glandevilla, the other Ranulphus de Blandevilla: but had Bale duly consulted our ancient Historians, he would easily have distinguished Glanvyll cheife Justice, who compiled this booke de Legibus Anglae [*sic*] yet extant amonge us, and dyed at the siege of Acon anno domini 1190 accordinge to Hoveden

[1] ed. 1664.
[2] ed. 1548.
[3] Published 1619; see Sir Peter's Library catalogue.

pag. 685 ; [1] from Randle Blaundevill our Earle of Chester, who dyed not till the yeare 1232, as Mat. Paris and the monke of Chester doe clearely record ; neither was Glanvill Earle of Chester, or of the race of the Earles of Chester : But to returne.

High Traison then hast beene usually stiled in our lawes, Crimen Laesae Maiestatis : and the common law and Statutes both in forme as where and in whom this Maiesty resides : That title beinge onely and alwayes Applicable to the Kinge & to noe other : as when we say His Maiesties Courts, His Maiestie's Writs, His Maiestie's Proclamation ; It is onely understood of the Kinge and noe other.

The title of Grace began under Henry the fourth : Excellent Grace under Hen. 6 : High & mighty Prince, under Edw. 4th : And the title of Maiesty (which first began to be attributed to the Romane Emperours about the tyme of Gallien who lived 260 yeares after Christ) came hither in the tyme of Hen. 8th, as sacred Maiesty in the tyme of Queene Elizabeth : Thus Cambden in his Remaynes put out by Philpot 1636, pa. 156.

Yet if we more strictly examine the matter we shall finde Royall Maiesty attributed to the Kinge in the Statute 2º Henry 4, ca. 15 : and before either, wee find Crimen laesae maiestatis in Glanvill : possibly the title of Maiesty was more ordinarily & frequently used under Hen. 8th, than before : for I finde it much used and sometimes royall maiesty and excellent maiesty, through the many statutes of that King's raigne.

But by all these titles, though in severall wordes, the same thinge is couched and signifyed ; namely the Supreme power residinge in the Royall person of the Kinge.[2]

So then, where there is noe Maiesty, there can bee no violated Maiesty : and where there is no violated Maiesty, there can be no crime of violated Maiesty : and where there is noe crime of violated Maiesty, there can be noe High-Traison.

Who ever heard in England the stile of—The Maiesty of the People : Who ever heard thereof the title of—The Maiesty of a Parliament. Maiesty is onely given to the kinge : To whom obedience is due by the Law of God : the violation whereof is a haynous Crime both against the Law of God, and the lawes of this Kingdome. Peruse over all our Bookes, records and Historyes (saith the Lord Cooke, in his pleas of the Crowne, ca. 2, towards the end) and you shall finde a principle in

[1] Sir Henry Savill's 1601 edition.

[2] Cf. Stephen Gardiner's assertion of the divine origin of royal power and the sovereignty of the King : " A King's authority to govern his realm never wanteth, though he were in his cradle."—*Letters*, ed. J. A. Muller, (1933). Sir Peter was fully in accord with the conception of royal authority developed by the royalist theorists of the Tudor period.

Law, a rule in Reason, and a tryall in Experience, That Traison doth ever produce fatall Destruction to the Offender.

Dr. Sanderson's Praelectio 7, pa. 259.

It is true in a Democraticall State, such as that of the people of Rome, in old tyme, there occurre in Cicero many such like speeches as —Populi Romani Maiestas, and laesa Populi Maiestas; but that after reverted to a monarchicall Government: which in the opinion of the wisest men, and by Common Experience hath beene ever esteemed the best forme of Government in all ages, as most ancient, most perfect, most naturall, and most durable.

England's Blacke Tribunall, pa. 43.

Now to imagine the Supreme Power of Governinge to be primarily in the People, is to imagine a Contradiction: I remember Judge Bradshaw (in the tryall of Kinge Charles the first of Blessed Memory) sayd, As the Law is superiour to the Kinge, so there is somethinge Superiour to the Law; and that is The Author and Parent of the Law, and that is The People of England: a learned sayinge to lodge the Supreme Power in the People, and to denye it to be in the Kinge: and then he brings a false Axiome, hatcht in the late Rebellion, Rex est singulis maior, sed universis minor.

To discover the weaknes & falsenes of these thinges I shall but aske this one question: if all the People of England Collectively have, or can pretend to have, the supreme power of Governinge, who must then be governed.

Ffor the same Person or Persons cannot at the same tyme in the same respect at once both governe & be governed: for then both parties of a contradictory Proposition would be true at the same tyme, against the Rule of contradictories (whereof one part onely can be true of Necessity) as every Sophister in Logicke knowes: as to say, They doe governe and they doe not governe: both these cannot be true at once in the same respect simul et semel as the Schooles speake, for that which doth Governe cannot in the same respect and tyme be sayd to ⟨bee⟩ Governed: nor that which is governed cannot in the same respect be sayd truly to Governe. Now in all Governments there must be some to be governed, and some to Governe: wherefore the people collectively can have no share at all in Governinge, because they are to be Governed: and therefore the Scripture showeth that the people are to be Governed: Acts 23, 5; Exodus 22, 28: whiles the Governour or ⟨Kinge⟩ is stiled the Ruler of the People: And it is more rationall that the head Governe the ffeete, then the ffeete Governe the head.

I have dwelt the longer uppon this poynt, because I would have these undoubted truths instilled into the Eares & hearts of the People of this County: which had they formerly ⟨beene⟩ declared duly and impartially from tyme to tyme (as they ought to have beene) from such like places as these, it would probably have expelled those dregs of Traison, which were of late sucked in by the Common breath from the

dugges of a giddy-headed part of our clergy in their abused pulpits, to the Greate disturbance of the Peace and Tranquillity of our nation: The falsenes of whose erroneous Principles we haue now found out by our owne too lamentable experience. But blessed be God, who with the strength of his owne arme hath scattered the Proud in the imagination of their hearts; and hath removed those black clouds of ruine & confusion (which ere while threatened both our Church & State) by causing our sun to dart forth his beames of maiesty againe amonge us, to the greate Refreshment of the whole nation: and let his throne bee established for ever.[1]

Now because it was not formerly resolved on for certaine, how farre this violated maiesty did extend, so that there were divers opinions before the raigne of Edward the third what was Traison, and what not; there was a particular statute made 25° Edw. 3ii, declaringe what shall be adiudged traison, which Parliament had the stile of Benedictum Parliamentum, as other Parliaments had also peculiar names given them: that of Oxford, 42° Hen. 3ii, was called Insanum Parliamentum or the mad Parliament that of 6° Hen. 4, Indortum Parliamentum or the lack-latine Parliament: And the late Parliament anno domini 1659, called the Rump, Pars foetida Parliamenti; set up by Power not Law: wantinge not onely the head, the Kinge; but also the upper part of the house of Commons too: so that there remayned but the smallest and worst part of a Parliament: Likewise the Parliament uppon this kinge's restoration, anno Domini 1660, hath the name of the healinge *12 Car 2* & blessed Parliament, imposed by his Maty himselfe in his speech to that Parliament.

So that of 25° Edw. 3ii was called Benedictum Parliamentum ffor except Magna Charta, no other act of Parliament hath had more honour given unto it by succeedinge Parliaments and in full Courts, then that: as by the Statutes of 1° Hen. 4, ca. 10: 1° Edw. 6, ca. 12: 1° Mariae, ca. 1 doth appeare. All of them, though in different tymes, yet agree in the extollinge of the Act of 25° Edw. 3ii: Cookes Pleas of the Crowne, ca. 1, page 2.

Stat. 25° Edw. 3ii (High Traisons)

1. To compasse or imagine the death of the Kinge, Queene, or Prince.[2]

Judgement for High Traison. The offender to be drawne on a

Sir Walter Tirrell a ffrenchman commanded

[1] W. S. Holdsworth comments: "The years following the Restoration are the palmy days of the theory of divine right. The divinity of hereditary right had been signally proved by the Restoration itself, and the dire consequences of resistance to the powers that be had been proved by the anarchy of the preceding years." *A History of English Law* (3rd ed., London, 1922–32), VI, p. 277.

[2] For a discussion of this clause and the constructive extension of it, particularly in the seventeenth century, see W. S. Holdsworth, *A History of English Law*, VIII, pp. 309–18.

by Kinge William Rufus to shoote a deere in the new-forrest. The arrow glided on a tree and chanced to kill the kinge anno domini 1100. But this was not adjudged High Treason by the Bookes of Normandy: for he did not intend any harme to the Kinge: and actus non facit reum, nisi mens sit rea: Cooke's Pleas of the Crowne, pa. 6.

2. To deflowre the Queene, the eldest daughter of the Kinge unmarried, or the wife of the Prince.

3. To warre against the Kinge in his realme, or to adhere to the King's enemyes in his realme or without, declaring the same by overt act.[1]

4. To counterfeit the Kinge's Greate Seale, or his Privy Seale, or his coyne.

5. To kill the Chancellour, Lord Treasurer, any of the Justices of the one Bench or the other, Justices in Eyre, Justices of Oyer and Terminer, beinge in their place executinge their offices: ffor these represent the King's person. These ffive branches are made High Traison by the Statute of Purveyours, 25 Edw. 3[11], ca. 2.

6. To hold a castell or ffort by Armes or weapons, against the Kinge & his Power, is levyinge warre against the kinge within the Statute of 25° Edw. 3[11]. Cookes Pleas of the Crowne, pa. 10.

7. To conspire to levy warre against the Kinge, if some onely do levy warre accordinge to the Conspiracy, It is High Traison in all: for in Traison all are Principalls, and warre is levyed. Cooke, ibidem, pa. 9.

8. To levy warre to expell strangers, to deliver men out of prisons, to remove evill counsellors, or against any Statute, or to any other end, Pretendinge Reformation on their owne heads, without warrant from the Kinge: This is levyinge warre against the kinge, because they take uppon them Royall Authority: which is against the Kinge. Cooke, ibidem, pa. 9.

9. To clip, wash, or ffile the King's money, is High Traison: or the money of any other Realme

hurdle to the place of execution, there to bee hanged by the neck, then taken down alive, his privy members to be cut off and his entrailes to be taken out of his body and burned before his eyes whiles he is yet alive then his head to be cut of, and his body to be divided into fowre quarters, to be disposed of at the pleasure of the Kinge. Cookes Pleas of the Crowne, ca. 101. For a woman to be drawne and burned:

Judgement ut supra.

A man in case of High-Traison forfeits all

[1] Note it was laid down in 1663 that a conspiracy to levy war could be regarded as an overt act to prove a compassing of the king's death. "It was resolved and agreed by all now as it was before in *Tong's case*, and *Sir H. Vane's case*, that the meeting and consulting to levy war is an overt act to prove the compassing of the king's death within the statute of 25 Ed. 3. Altho' the consulting to levy war is not actual levying within the statute, and so cannot be indicted thereupon, for that treason of levying war, yet if they be indicted for the treason of compassing and imagining the king's death, that consulting to levy war is an overt act to prove that treason, altho' Co. Pl. Car. 14 delivers an opinion against this"—Kelyng, 20. See also Holdsworth, op. cit., pp. 318–21, for a discussion of the construction put upon this clause.

allowed to be current in this Realme: 5° Eliz. ca. XI°: also 18 Eliz. ca. 1.

10. Obtayninge of Bulls from the Pope by any subject of England, & their procurers, 13° Eliz. ca. 2.

11. To absolve or persuade any subject in England from their obedience to the Kinge or to draw any from the Religion established to the Romish Religion. 23° Eliz. ca. 1.

12. To refuse the Oath of Supremacy the second tyme, by any Compellable in this Act, or to whom by Commission it shall be tendered accordinge to the Act: 5° Eliz. ca. 1.

13. Rescuinge a traytour arrested uppon suspicion of Traison, is Traison by the Common Law.

14. Voluntary escapes of Traitors, committed for suspicion of Traison: and gaolers or their officers voluntarily sufferinge any person (under custody for High Traison) to escape: is High Traison by Common-Law.

15. Any person (after the 24th of June 1661) who shall duringe the life of this Kinge, intend death or destruction, woundinge, imprisonment, or restraint, to his person; or to deprive him of the stile or kingly name of the Imperiall Crowne of this Realme, or any other of his Maiesties Dominions, or to levy warre against his Matv within this Realme or without; or to move any forrainer with force to invade this Realme, or any other his Mattes Dominions: such intention declared by Word, Writinge, Printinge, or Preachinge, beinge lawfully convicted by two credible witnesses, is High Traison. Act of Safety. 13 Car. 2.

his landes to the Kinge of whomsoever they are holden, and all his goods also: and the wife shall loose her dower. 25° Edw. 3ii. And now Estates in Taile shall be forfeited: 26 Hen. 8, ca. 13: 33° Hen. 8, ca. 20: 5 & 6 Edw. 6, ca. XI, in case of High Traison which Statutes are now in force, notwithstandinge 1° Mariae ca. 1.

Now all these were High Traison before, yet was there some doubt before, whether wordes would amount to high-traison and these are now good explications of the Statute of 25° Edw. 3ii. And by these engines was the late Rebellion wrought against kinge Charles the first: ffor when subiects once dare to imprison their kinge, they seldom stop there: It was wisely and truly observed by the late kinge, in his meditation uppon his owne Imprisonment; that there were but few steps betweene the prisons and graves of Princes.[1] This experience he had learned out of the Historyes of his Royall Progenitors: I shall instance onely in two, Edward the second, and Richard the second.

In that tumultous age of Edward the second, the Kinge was imprisoned, and must be deposed: the instrument or forme thereof was sent from the House of Commons to be read unto him, then prisoner in the Tower: did they stop here: surely noe: not longe after certaine

[1] Eikon Basilike, p. 208.

persons were sent to murther him in the Tower : where some smotheringe his head with a feather bed another thrusts a horne into his ffundament, another runs a hot iron through the horne into his belly : and so barbarously murthered him.[1]

Then in the notorious and greate Rebellious Age of Richard the Second, hee poore Kinge was forced to read his owne Resignation publiquely in the Tower before the Nobles of the land then present : acknowledging his owne insufficiency to governe, and desired that the Government of the kingdome might be transferred on his Cosin Henry of Bolingbroke : But for all this, after he had thus unkinged himselfe, and Bolingbroke made Kinge, his Cosin Henry keepes him Prisoner : where he was debarred of his liberty, and below the happiness of his meanest subiects : and what was the issue. Soone after nine or ten persons were sent to murther him in the Prison ; where the Kinge snatchinge a Pole-Axe out of one of their handes who stood next him, fought manfully for his life, and killed two or three of the Assailants : but at last beinge overpowred, he was knocked in the head and murthered ; see here the fruit of imprisoninge their Kinge.[2]

And then for his Ma^{ty} of Blessed Memory, Charles the first : at the beginninge of their Rebellion, they would make him a glorious Kinge : but after the Parliament had ensnared the Common People by an unlawfull covenant, as their power encreased, his must decrease : then must he not be thought fit to choose his owne servants : and all this while they fought for him too : for they pretended and gave out, that they were for Kinge and Parliament, but when they had fought so longe for him that they had got him into their hands, then he was hurryed from one castle and place to another : what became on it then. Indeed they did not murther him in prison, as the other Kinges were murthered ; though in their private debates this was moved. But the prevailinge opinion was, that he must be brought to a Publique tryall by a court of Justice, as they called it : and sentanced to dye on a scaffold before his owne Palace of White Hall, under a specious show of justice : justifyinge as it were their horrid impiety to the People. Such a puppet-play of High Traison hath scarce beene knowne in any age : where every action tendinge to his death was High-Traison by our Lawes, and High Traison in the Courte of Heaven.

Such miscreants God commonly payes home, yea in this world many times : how have we seene the scene of affaires in this nation altered before our eyes by the Greate Wheele of Providence ! Those persons, who fled out of England for safety, and thought themselves farre enough

[1] For an account and bibliography of the deposition of Edward II, see M. V. Clarke, *Mediaeval Representation and Consent* (London, 1936), chap. IX.

[2] For the deposition of Richard II, see A. Steele, *Richard II* (Cambridge, 1941), pp. 277–85.

out of all daunger, yet were they most strangely discovered and delivered up to his Ma^{ty} that now is, and are fallen into the Net which they had layd for others.

This advantage had the late Kinge above the other, two before mentioned. Those two gave up their power wherewith God had invested them, and it fared not a iot the better with them for it: but Kinge Charles the first, though he lost his life, yet he preserved his honour.

PETTY TRAISONS

Then for Petty Traisons. These are onely three by the Statute of 25^{o} Edw. 3^{ii}.[1]

Judgement in Petty-Traison ffor a man to be hanged. A woman to be drawne and burned.

1. When a wife wilfully killes her husband.
2. When a servant killes his maister.
3. When a secular or religious person wilfully killes his Prelate to whom he oweth faith and obedience.

If the servant killeth the wife of his maister, it is Petty-Traison: for he is servant & oweth faith to both.

A servant of malice intended to kill his maister, and lay in wait to doe it: but did not, till a yeare after he was out of his service: It was adiudged Petty-Traison within this Statute: for that it was intended to be done, whiles he was his servant: Cooke's Pleas of the Crowne, ca. 2, page 20.

A servant counterfeitinge his Maister's seale, with whom he lived, It was Petty-Traison before 25 Edw. 3^{ii}: Cooke, ibidem: but was taken of by that statute.

Parricide is out of the Statute 25^{o} Edw. 3^{ii} unles the child served his ffather or mother for wages, meate, or apparell: and then he is a servant, and within the Statute.

But though the offence be farre more haynous in the Child, than the servant (for peccata contra naturam sunt gravissime) yet the Judge is restrayned to give Judgement of any other case to be Traison, then what is specifyed in that Act of Parliament, untill the Kinge and Parliament shall make it Traison.

So that Parricide is casus omissus; yet some say, Parricide is Petty Traison by the Common Lawe. Cooke, ibidem, pa. 20.

And so I have done with the Traisons: whereof Justices of Peace may enquire and take Presentment, and bind over the offender: but have noe power to proceede further, either to heare or determine. And so

[1] For the gradual establishment of a distinction between high and petty treason see F. Pollock & F. W. Maitland, *The History of English Law* (Cambridge, 1923), II, p. 502.

I come to the second branch, or generall head, accordinge to my method first proposed: to wit felonies.

And first for the word, then for the particulars.

Inter dominum et vassallum primo audita est vox Felonia, saith Spelman: who derives the word from Feh, signifyinge in the Saxon language money, or by a metaphore Wages, or land given in liew thereof: we commonly call it Fee: and (lon) which with the Germans signifies (a price): so that ffelony was such a crime as was anciently redeemed with moneyes: which our Saxon ancestors called Were-Gild: but that Law beinge abrogated, our Kinge Henry the first, sub anno 1108, ordained that thieves should bee hanged: so Fflorentius Wigorniensis, and Hoveden tell us: see also Cooke's Pleas of the Crowne, pa. 53.

Those who would fetch it from the Greek (φήλειν) to deceive, whence (φῆλος), imposter, fallax: a cheatinge knave, stretten the word too much, as too narrow to comprehend it: et quid nobis cum Graecis.

I find not the word Felony used with us in England before the Norman Conquest, so farre forth as I can finde: whereby it may seeme that word came to us from the ffrench: and they possibly ⟨had it⟩ from the Longobards out of their Iura feudalia.

Ffelonia et vi termini significat quod libet capitale crimen felleo animo perpetratum: Cooke uppon Littleton, fo. 391, for which he there quoteth Glanvill Lib. 14, ca. 13, whereby the word seemeth to be borrowed from the Ffrench word (ffell), which signifies cruell, outrageous, fierce: [1]

And however the word be derived, by ffelonies we understand in England the most grievous Crimes, next to Traisons, which one subiect can commit against another: as murther, burninge of houses, rape, robbery, & the like: And many offences are dayly made ffelony, which before were not.[2]

Anciently every Traison was comprehended under the name of ffelony, sed non e contra. Cookes pleas of the Crowne, pa. 15: and it was in our Law, a word of such large extent, that it included High-Traison: and therefore in our Ancient Bookes by the pardon of all ffelonies, were High-Traisons pardoned, as counterfeytinge of the Greate Seale, and counterfeytinge the King's Coyne, &c. before the Statute of 25° Edw. 3ii. Cooke uppon Littleton, fol. 391.

But afterwards it was resolved that in the King's Pardon this word ffelony should onely extend to Common felonyes, and not to High Traison: see the Statute of 13° Rich. 2, Stat. 2, ca. 1, and Cookes Pleas of the Crowne, pa. 236.

[1] For a discussion of the derivation of the word, see F. Pollock, F. W. Maitland, op. cit., II, p. 463.

[2] For a definition of felonies, see F. Pollock, F. W. Maitland, op. cit., II, pp. 464–6.

The pardon of all ffelonies will not at this day extend to murther and Petty-Traison : Lambert, lib. 4, ca. 14, pa. 572.

The particulars of ffelonie are divided into { ffelonies of death. / ffelonies not of death.

ffelonies of death are againe subdivided into { ffelonies not allowed the benefit of clergy. / ffelonies which are allowed benefit of clergy.

Clergy allowed to ffelons.

And here it will be necessary to let you know what is meant by Benefit of Clergy.

Clergy is an ancient liberty of the Holy Church, which hath beene confirmed in divers Parliaments : And it is, when a Priest, or one within holy orders, or other whomsoever, in whom there is noe impossibility of beinge a Priest, is arraigned of ffelony before a Secular Judge, He may pray his clergye : that is as much, as if he should pray to be dismissed from the Temporall Judge, and to be delivered to the Ordinary or Bishop to purge himselfe of the offence. Stanford's Plees del Corone, lib. 2, ca. 41.

By the Articuli Cleri, 9 Edw. 2, ca. 15, it is sayd—Clericus coram Iudice Seculari iudicari non debet nec aliquid contra ipsum fieri, per quod ad periculum mortis vel ad mutilationem membrorum valeat perveniri.

How this Privilege of Clergy-men began, we must enquire of the Doctors of the Canon-Law : from which Law this Priviledge had its rice, and not from our Common-Law : saith Stanford ibidem, lib. 2, ca. 41.

There was a Constitution made by Pope Caius, about the yeare of Christ 290, that no Clergy-man in holy Orders must be subiect to any temporall Judge. Polychronicon, lib. 4°, ca. 24.

The Pope's Law here had no force, till the Kinge allowed it : and the Lord Cooke (uppon the Statute of Articuli Cleri, ca. 15, ad finem) saith, that by the wordes of that Statute (secundum laudibilem consuetudinem regni) showes, it tooke not its vigour in England by force of any forein councell or canon, but by Authority of Parliament, and by the laudable Law and Custome of this Kingdome.[1]

But when this Custome first began in England, I find it not precisely recorded : It appeares to be the Custome here before the raigne

[1] This view is erroneous. In fact, during the Middle Ages the church in England and her courts regarded the canon law of Rome as ius commune for the whole church and accepted it as absolutely binding statute law. See F. W. Maitland, *Roman Canon Law in the Church of England* (Cambridge, 1898), in particular pp. 1–99 : also his essay, " Canon Law in England ", published in *Collected Papers* (Cambridge, 1911), III, pp. 137–56.

of Kinge Edward the first: for the Statute of Westminster the first, 3° Edw. 1, ca. 2, saith, that a Clerke taken for ffelony, shall be delivered to the Ordinary uppon demand accordinge to the Priviledge of Holy Church, after the Customes afore tyme used: The claime was for all crimes, till this Act restrained it to ffelony: for they were to answer now to Traysons at the Common Law:

And so it seems This Custome was used before Henry the third's tyme: Bracton lib. 3°, ca. 9, for he writ about that King's raigne: and the Law was then for ffelony, that the Ordinary should degrade the Clerke, if he could not cleare himselfe of the Crime: And he was delivered to the Ordinary, before any Jury had passed or Inquisition taken concerninge the Crime.

But the abuses in making Purgations in the end became so intolerable, that Queene Elizabeth tooke them quite away by Statute, 18° Eliz. ca. 7, so as now the Clergy-men were no more to be delivered to the Ordinary.

He that is within Holy-Orders, that is to say, of the Order of Subdeacon or above, although he hath had the Priviledge of Clergy for once, yet he may have it allowed afterwards againe and so may not a Lay-man. Stat. 5° & 6° Edw. 6, ca. 9, 4° Hen. 7, ca. 13.

And this Priviledge of Clergy hath beene favourably used by all Temporall Judges, who grant it to all such as can reade like Clerkes, although they be not in holy Orders: And so it is used at this day, where Benefit of Clergy is not taken away by any Statute. What persons shall have their Clergy by the Common Law, & who not, see Stanford's Plees del Corone: lib. 2, ca. 42.

A woman is not allowed Clergy by the Common Law because she is altogather [*sic*] uncapable of Holy Orders: yet see the Stat. 21° Jac. ca. 6: which appoints a Punishment for her in case the thinge stollen be under the value of ten shillings: but if above, she can haue noe clergy.[1]

Now follow the Felonies, which are not allowed Benefit of Clergy.

Murther 1. Murther: this hath no Clergy allowed: It is in the sence of our Law sayd to be murther, when a man of sound memory, & of the Age of discretion, unlawfully killeth any Person under the King's Peace with malice forethought, either exprest by the party or implyed by the Law, so as the Party wounded or hurt dyeth within a yeare & a day after the same: Cooke's Pleas of the Crowne, ca. 7.

Poysoninge Wilfull Poysoninge of another made High-Traison, & the offender to be boiled to death in hot water: 22° Hen. 8, ca. 9, but that Statute Judgement in all Cases of ffelonies of Death, to be hanged by the neck till the Offender bee dead.

[1] For an account of benefit of clergy in the sixteenth and seventeenth centuries, see Holdsworth, op. cit., III, pp. 301–2.

was repealed 1 Edw. 6, ca. 1. 1 Mar. ca. 1. So that now it is wilfull murther. 1° Ed. 6, ca. 12.

Stabbinge

Stabbinge of any Person, not havinge his weapon drawne, nor first strooke the party stabbinge, is wil-full murther. 1° Jac. ca. 8.

Bastard-child made away.

A woman delivered of a bastard Child, endeavouringe by Secret buryinge, or any other way, to conceale the death thereof, it is murther; unles she can prove by one witnesse at least that the Child was borne dead. 21° Jac. ca. 27.

felo de se.

ffelo de se lawfully found by the oath of 12 men fforfeits all his goods & chattels to the Kinge, if he were compos mentis & of the age of discretion; but forfeits noe landes; for no man can forfeit his landes without an Attainder: Cooke's Pleas of the Crowne, ca. 8, pa. 55.

killinge of knowne officers.

To kill another without Provocation; or to kill a knowne officer in executinge Process: or an unknowne officer, if he show his warrant; or to kill any Magistrate in executinge his office, or in keepinge the Peace; or any Constable partinge an Affray; or killinge a watchman in executinge his office; in all these cases it is malice implyed and murder by the Common Law.

2. Rape; or the carnall knowledge of any woman above ten yeares of Age against her will; or of a woman-child under ten yeares of age either with her will or against her will, unlawfully, is felony without Benefit or Clergy: 18 Eliz. ca. 7.

So likewise is the carryinge away of any woman (that is an heyre, or hath landes and goods) against her will to marry her, except she be his ward: 3° Hen. 7, ca. 2. 39° Eliz. ca. 9: and the Procurers also.

3. Buggery with man or beast. 25° Hen. 8, ca. 6, and 5° Eliz. ca. 17: Before the makinge of the Act of 25° Hen. 8. A greate Lady had committed Buggery with a Baboone, & conceived by it: Cookes Pleas of the Crowne, ca. 10. It is a detestable sinne against the Order of Nature: Sodomy is but one branch of it:

It was complained of in Parliament 50 Edw. 3^{11}, that the Lombards had brought in the shamefull sinne of Sodomy into this Realme. Rot. Parliam. 50. Edw. 3^{11}, num. 58.

Judgement in all cases of ffelony of death, To be hanged by the neck till the offender be dead.

In ancient tyme the man was hanged, and the woman drowned, for buggery: where-of we haue seene examples in the tyme of Richard the first: and that was the meaninge of the ancient franchises in old Charters de furca et fossa, the Gallowes, and the Pit: for the hanging of the one, and drowninge of the other: but now the Judgement in all cases of felony, is to be hanged. Cooke ibidem.

4. Coniuration, Witchcraft, Sorcery, or Enchantment, whereby any person shall be killed, destroyed, or hurt: 1° Jac. ca. 12. See also the second branch of the Statute, where onely the second offence in some cases is ffelony.[1]

A Coniurer is he, that by the powerfull and holy names of God almighty, invokes & coniures up the devill to consult with him or to doe some Act.

A witch is a Person, that hath Conference with the Devill, to consult with him or to doe some Act.

A Sorcerer, Sortilegus, is one that divineth by lots in the enchantments of the Divell.

An Enchanter, Incantator, qui carminibus et cantiunculis Daemonem adiurat: they are called carmina or charmes: because anciently the charmes were made in verse. Carmina de caelo possunt detrudere lunam. Burninge was anciently, and yet is, the Punishment for Heretiques: The cognizance of these offences if branches of Heresy (as the Law was then taken) they belonged to Ecclesiasticall Judges, as at this day heresy doth: In which case after sentence given, there lyeth a writ at Common Law de Haeretico Comburendo.[2]

But coniuration & witchcraft is now to be punished as ffelony by the Common Law: the Statute appoints not where, nor limits any Judges to heare & try it: wherefore I conceive by any, who have a power by Commission to try ffelonies: and therefore in the Commissions of the Peace these have beene particularly added by name since the Statute, where all other ffelonies are onely named in Generall.

5. Burglary: 18° Eliz. ca. 7. A burglar at the Common Law is hee, who feloniously in the night breaketh & entereth into any dwellinge house; The word (Burglar) is derived of these two ffrench wordes Burgh, that is, a house: and Laron, a thiefe: as it were House-Thiefe. The Saxons called it, Housbrech:

So to breake and enter into a Church by night with intent to steale, is Burglary. 1 Edw. 6, ca. 12.

To take goods to the value of 5s. od. out of any — Judgement in all cases

[1] Such offences had formerly come within the exclusive cognizance of the ecclesiastical courts, but were taken over by the state. The history of legislation against sorcery and witchcraft is summarized and discussed by Holdsworth, op. cit., IV, pp. 507–11.

[2] For the history of legislation against heresy and the chief statutes relating to it, see Holdsworth, op. cit., I, pp. 616–19.

house or outhouse in the day time, by breakinge and enteringe into the same, though no body be within, is felony without benefit of Clergy, 39 Eliz. ca. 15.

6. Robbery by the High-Way: 1° Edw. 6, ca. 12: if the Robber take from the Person goods of any value whatsoever:

If a true man for feare deliver his purse, and it be received by the Robber, this will amount to a takinge in Law: and it is Robbery: Cookes Pleas of the Crowne, ca. 16.

7. Stealinge Horses, Mares, or Geldings, noe Clergy: 37° Hen. 8, ca. 8: 1° Edw. 6, ca. 12.

An accessary to stealinge may have Clergy. Dyer fol. 99.

8. Cut Purses, or Pick-Pockets, who take money or goods privily from the person of another in any place, of any value, shall have no clergy: 8 Eliz. ca. 4.

A servant stealinge or embezillinge his maister's goods or money, to the value of £2 os. od.: no clergy was allowed: 27 Hen. 8, ca. 17, but the Act was repealed 1° Mariae ca. 1, so that at this day such offender may have his clergy. See 5° Eliz. ca. 10.

9. Any souldier departinge out of the King's Service without licence of his Captaine: 7° Hen. 7, ca. 1: This is the first Statute makinge a new felony that tooke away benefit of Clergy: see 4° Hen. 7, ca. 13. 12 Hen. 7, ca. ultimum. 3° Hen. 8, ca. 5. Cookes Pleas of the Crowne, ca. 19.

10. fforginge of any false deede, court-roll, or will: every second offence duly convicted, can have no Clergy, 5° Eliz. ca. 14.

This offence cannot be medled with by Justices of Peace: because other Judges are appointed for it by the Statute. Cookes Pleas of the Crowne, ca. 41.

11. Acknowledginge of a ffine, or deede enrolled in the name of any Person not privy or consentinge to the same; can have no Clergy. 21 Jac. ca. 26.

12. Wittingly and willingly to receive, relieve, or maintaine any Jesuit or Seminary Priest, beinge at liberty & out of hold, knowinge him to be such: can have no Clergy. 27 Eliz. ca. 2.

13. Those persons called Egyptians (commonly stiled Gypsies) continuinge a moneth in England or Wales, at one or severall tymes: or any Person above the Age of 14 yeares found in their company, disguised like them for the space of a

of ffelonies of death to bee hanged by the neck till the offender be dead.

Judgement in all cases of ffelony, to be hanged by the neck till the offender be dead.

moneth; &c can have noe Clergy. 1 & 2 Phil. & Mar. ca. 4. 5. Eliz. ca. 10.

14. Rogues branded with a Roman R on the left shoulder in Open Sessions; or sent to the place of his last abode or Birth; wandringe or begginge againe contrary to the Statute, can have no Clergy 1° Jacobi ca. 7.

15. Idle wandringe souldiers and mariners not betakinge themselves to some honest source of life; As also every souldier or mariner cominge from his Captaine beyond seas, not havinge a testimoniall under the hand of some Justice of Peace neare the Place where he landed; or exceedes the time limited unles he be sick; or shall forge such testimoniall, or shall have any such knowinge it to be forged; can have no Clergy. 38° Eliz. ca. 17. This Statute was but temporary: see the Statute.

16. Seditious Sectaryes abiured, refusinge the Oath of Abiuration, or returninge into England without the King's licence, can have no Clergy: 35° Eliz. ca. 1.

17. Wilfull burninge of another man's house, or stacke of corne, can have no Clergy, Cookes Pleas of the Crowne, ca. 15. 23° Hen. 8, ca. 1; 32° Hen. 8, ca. 3; 43 Eliz. ca. 13.

18. Since this charge was given, it was made ffelony without Clergy, maliciously to cut out the tongue, put out the eye, slit or cut the nose, or lip of another, or any dismembringe, mayheminge, or disfiguringe purposely. 22° & 23 Carr. 2, ca. 1, & all their Ayders & Abettors.

Now follow the ffelonies which are allowed their Clergy.

1. Chance-medley, commonly called Manslaughter:

It is a voluntary killinge of another uppon a sodaine brangle or falling out, without malice forethought: and therefore called in the Law-bookes Chance-Medley: a word derived of two ffrench wordes, Chance, and Mesle which signifies a brangle: & is as much as, a Brangle by chance: when men meete by chance and fall out sodainely, and one kills the other.

Every murther is Manslaughter, but every Manslaughter is not Murther:

Wherefore Homicidium est duplex: either { Murther, which is of malice forethought: / Chancemedley, which is sodaine and without malice forethought.

Chance-medley shall have clergy: but murther shall not: Cookes Pleas of the Crowne, ca. 8, pa. 57. Lambert, pa. 243.

2. Grand-Larceny, when a man stealeth goods above the value of twelve pence: Stat. Westminster the 1. 3° Edw. 1, ca. 15: this must

be understood of goods removed from the Person of another (*a*) for a catpurse shall have noe clergy.

(*a*) *and that without his knowledge or consent: t distinguish it from Robbery & Burglary, which are by force.*

Larceny is a Ffrench word derived from the Latine Latrocinium so that Grand-Larceny is as much as Greate-Theft: and Petit-Larceny is a Small-Theft, when the value of the thinge stollen is under twelve-pence.

3. Dures of Imprisonment by Gaolers, 14° Edw. 3, ca. 10.

4. Transportation of money or silver out of the Realm, & importation of false money into the Realme: 17 Ed. 3ii, num. 15, not printed. Cookes Pleas of the Crowne, ca. 31.

5. Transportion of sheepe or wooll out of England: 14° Car. 2, ca. 18, 27 Edw. 3, ca. 3, see 8 Eliz. ca. 3.

6. Stealinge a ffalcon, or any hawke, & carryinge the same away: 37 Edw. 3ii, ca. 19, makes it ffelony, as he that steales a horse: now because at the tyme of this Act made, he that had stolen a horse had benefit of Clergy, so he that steales or conceales a ffalcon, shall have benefit of Clergy: Cookes Pleas of the Crowne, ca. 34.

7. To use the craft of multiplication of gold & silver: 5 Hen. 4, ca. 4: that is, changing other mettalls into gold or silver commonly called the Philosopher's Stone: in latine Ars Chymica: The Professours hereof are called Chymists and Alchemysts.

Before the making of this Act, Divers of the Nobility & Gentry did waste their estates in this Act, by the suggestion of certaine Mountebankes & Deceivers (Indigent persons) who tooke upon them to be skilfull herein: thereuppon it was now made ffelony: but shall have benefit of Clergy. Yet notwithstandinge this Act, Kinge Hen. 6th granted Licence by his Letters Patents (Rot. 35° Hen. 6) unto one John ffaceby & others to use this Art: with a non obstante of the Statute of 5° Hen. 4: Cookes Pleas of the Crowne, ca. 20: and also to Sir Edmund Trafford & Sir Thomas Ashton of Lancashire, dated 24° Hen. 6: ffuller's Historye of the Worthies of England: pag. 122.[1] And these cheatinge persons that pretend hereunto, commonly dye beggars. I haue known some examples in my time.

8. Cuttinge out of Tongues, and pullinge out of Eyes, wilfully: 5° Hen. 4, ca. 5; shall have Clergye.

To cut of a man's Privy-members was anciently felony by the Common-Law: but at this day it is not held felony, nor cuttinge of the Eares: yet these may have an endictment of mayhem against the offenders: Cooke, ibidem, ca. 13.

(But these now are all of them made felony without benefit of clergy, since this charge given: videlicet, 22° et 23° Car. 2, ca. 1.)

9. Stealinge or carryinge away of records out of the King's Courts, is felony; 8° Hen. 6, ca. 12. But shall have Clergy: Justices of Peace

[1] ed. 1662.

have no power to meddle with this ffelony, because other Judges are appointed by the Statute:

10. Huntinge in the night, or with painted ffaces or visors in any fforrest, parke, or warren unlawfully: 1 Hen. 7, ca. 7, and concealinge the same: This felony shall be allowed his Clergy.

11. Embezillinge the King's Armour or amunition to the value of twenty shillings: 31 Eliz. ca. 4: the impeachment herein must be within a yeare after the ffact. This ffelony shall have Clergy.

12. Bigamy, or havinge two wifes or two husbands at one tyme: 1° Jacobi ca. XI, made felony: but may have Clergy.

13. To breake Prison, beinge committed for ffelony, is ffelony: Stat. 1° Edw. 2 de frangentibus Prisonam. Lamberds Eirenarcha, pa. 224. Cookes Pleas of the Crowne, ca. 17:

And so is wilfull default of Gaolers & constables in sufferinge Felons to escape, after they be committed, or apprehended, uppon a lawfull warrant: Lambert, pa. 225. Cooke uppon the Statutes: uppon 1° Edw. 2 de frangentibus Prisonam.

And so is rescuinge of a felon, ffelony at Common Law.

But these shall all have benefit of Clergy: And so in a word, shall all ffelons have, where it is not taken away by Statute.

14. malitiously in the night to kill or destroy any horses, sheepe, or other Cattell is felony; 22° & 23° Car. 2, ca. 7: Liberty to be Transported beyond seas for seaven yeares, if the offender convict desire it: But this was made ffelony since the charge given. I come now to the ffelonies, which are not death: and these are onely three.

1. Manslaughter se defendendo: and this is partly voluntary, partly involuntary: to distinguish it from manslaughter called Chance-medley, which is always voluntary.

ffor if A be assaulted by B and A goe back to the wall or hedge so that he can goe back no further: and then for safety of his life, must in his owne defence either kill B or be killed himselfe. This is not losse of life in A.

Nor if B be a robber on the highway and offers to rob or set uppon A, in this case A is not bound to give backe: And if hee in his owne defence kill B, It is noe felony of Death: Neither if any knowne officer of Justice have a lawfull warrant to carry any person to the Gaole or Prison, the officer is not bound to give backe: for it is his duty to carry away the Offender: and if the offender assault the Officer, then if the Officer kill the Offender, he shall be acquit: but if the offender kill the Officer, It is murther implyed by the Lawe. Cookes Pleas of the Crowne, ca. 8, pa. 56.

In manslaughter se defendendo, The party shall forfeit all his goods & chattels to the Kinge: and may sue out his Pardon of Course.

2. Manslaughter per infortunium or mischance: and this is alwayes

involuntary : as when a man doinge an Act that is not unlawfull, without any evill intent or will to doe any hurt, yet it tendeth to the death of a man by misfortune ; as if a man be cuttinge downe the bough of a Tree, another passinge under the same unawares is accidentally killed by the fall of the bough : By our lawes the Party forfeits all his goods and chattels to the Kinge, but shall have his Pardon of Course : Cooke, ibidem, ca. 101, pa. 220.

In these the Jewes had their cities of refuge : Deuteronomy, ca. 19, ver. 2, 3, 4, 5, and so had wee formerly in England for by the Statute of 32° Hen. 8, ca. 12, wee find them limited to Welles in Somersetshire, Westminster, Manchester in Lancashire, Northampton, Norwich, Yorke, Derby, and Lancaster : all other are taken of : and 33° Hen. 8, ca. 15, takes of Manchester, and makes Westchester [*sic*] a city of refuge : and after, it was transferred to Stafford by the King's letters Patents : ffor power was given by the sayd Statute unto the Kinge, to appoint it where he pleased by his Letters Patents : Stansford's Plees del Corone, lib. 2, ca. 39, the last wordes.

And besides the Townes aforesayd, the sayd Statute of 32° Hen. 8, ca. 12, appointed also for places of Sanctuary, in England,—all Parish-Churches and their Church-yoards, Cathedrall-Churches, Hospitalls, Collegiate Churches, and all Chappells dedicated and used as Parish-Churches.

Stansford in his Plees del Corone, lib. 2, ca. 38, tells us, Sanctuary is a place of Priviledge, granted by the kinge or chiefe Governour for the safeguard of the life of an offender : and it is grounded uppon the Law of Mercy, and not the greate reverence, honour, & devotion, which the prince hath to such place : and which in former ages hath beene very greate.

Such lawes were in use amonge the ancient Jewes : and we reade how Joab, and Adoniiah, after Solomon was made Kinge, did fly to the Hornes of the Altar, 1 Kings ca. 1, ver. 250, et ca. 2, ver. 28, and yet that place was no Sanctuary for Traison : for Solomon caused them to be put to death.

And so in our Statute of 32° Hen. 8, ca. 12, the places of Sanctuary there appointed, shall give no immunity to wilfull burninge of houses, or barnes of corne ; and also excepted all other offences, where Sanctuary or Clergy was taken away by any former Statute or Law : which were all Traisons, & severall other offences.

But these Statutes of Sanctuary & places of Refuge are repealed 1 Jac. ca. 25 and all priviledges of Sanctuary quite taken away, 21 Jacobi, ca. 28.

3. Petty-Larceny or small theft : that is, when the goods stollen are under the value of twelve pence : The offender in Bracton's tyme (who lived under Hen. 3°) was punnished with beatinge : In the time of

Ffleta, under Edward the third, The offenders herein were sometimes punnished with Pillory, sometimes with the losse of an eare.

But since Edward the thirds tyme no man lost any member for Petty-Larceny : but sometimes with other punnishment, as by whippinge, stocks &c.

If the Delinquent flyeth for Petty-Larceny, & so bee found by the Jury, he forfeiteth his goods ; Cookes Pleas of the Crowne, pa. 218 : Complete Justice, Title forfeiture.

In a woman, because she was not capable of Clergy, if the goods stollen be above the value of twelve pence, and under ten shillings ; she is to be burned with a hot Iron on the brawne of the left thumbe with a Romane T. 21° Jacobi, ca. 6. Thus have I run through the ffelonies ; I shuld now come to the particulars of the other three Generall heads remayninge, namely of Misprisions, Premuniries, and other ffinable offences against the Publique Peace : but because the Tyme will ⟨not⟩ now permit mee to goe through, I shall reserve them for the next Opportunity—if it please God : however, Gentlemen, at present you are to make Presentments impartially of all Offenders against our Lawes.

ffinis.[1]

The manuscript portion, at the back of *The Complete Justice*, runs as follows : The manner of a charge to the jury at quarter sessions 1660.

Gentlemen of the jury

You are summoned hither accordinge to the ancient lawes & customes of this kingdome to make enquiry after all crimes & misdemeanours committed within this county, either against the safety of the Kinges royall person, or his imperiall authority in the quiet government of his people, accordinge to the knowne lawes of this nation ; and though I beleeve most of you, in regard of your former experience, are not ignorant of your duty, yet it will not be amiss to put you in minde of what you are to enquire after & that as breifely as may be : ffor short rules are ever aptest for memory.

I shall therefore reduce them to these ffive heads, as I find them so ranked in my Lord Bolton's Justice of Peace for Ireland which are breifely thus. (the five heads are those given in the text as printed).

[1] Sir Peter prepared this address with great care. Two preliminary drafts of it are preserved. One occurs in a manuscript section at the back of *The Complete Justice* (London, 1624), pp. 37–70. The second draft forms part of a manuscript book, labelled " Quarter Sessions Law ". On the fly-leaf of this book Sir Peter has written " Briefe Notes concerninge a Justice of Peace. ffor myne owne memory. By mee P. Leicester. Anno domini 1660." The draft of the speech to the Grand Jury at the General Quarter Sessions held at Northwich, January 15th, 1660, runs from pp. 37–76. The text printed above is more polished than the preliminary drafts. In particular, in writing out the speech, Sir Peter has emphasized his points by enumerating his paragraphs and using a double column arrangement.

[The manuscript draft in "Quarter Sessions Law" runs:

"A charge to the Grand Jury at the Generall Quarter Sessions, held at Northwich January 15th, 1660."

The draft follows the text now printed, except for the inclusion of the phrases "for shorte rules are ever best for memory", and "It is the method of the Lord Bolton in his *Justice of Peace for Ierland.*"]

A CHARGE to the Grand Jury at the Quarter Sessions held at Nether-Knotsford, in October, 1664.

Gentlemen

Justice is both corona and columna reipublicae: the Crowne and Pillar of a nation: A Crowne to adorne it, and the maine Pillar to support it: ffor Justice (saith Solomon) exalteth a nation; and so it is as a Crowne to adorne it; and againe hee tells us, that by Justice the Throne is established; and soe it becomes a sure Pillar to prop and support it.

And it is equally bad to favour an Offender in Judgement, as to punish an innocent Person: ffor he that iustifyeth the wicked, and he that condemneth the Just, they both are an abomination to the Lord: Proverbs, ca. 17, ver. 15.

Justice is the Greate Maister-Wheele of Government, which causeth the Lower and inferiour motions of a Kingdome to move regularly & in order: if any Pin or Noch in the Lesser Wheeles be out of order, it must presently bee set straight or a new one made, that these may perpetually be kept in their due motion: ffor it is certaine, that there cannot be a greater symptome of a declininge, totteringe State: then ⟨is⟩ the Generall dissolution of manners for want of due Administration of Justice.

Now to cure these lesser irregularities, it is your duty, Gentlemen, to present all such offences against the Publique peace within our County, which shall come to your knowledge; otherwise they will stick at your dores: and if we fayle to punnish the Offenders accordinge to the Power wherewith we are entrusted, then will they lye at our dores:

Wherefore that you may the better know what offences you are to present, I have already elsewhere run through the Particulars of Traisons and ffelonies: and I shall now give you the Particulars of the other three Generall heads remayninge: [1] namely of Misprisions, Premuniries, & other ffinable offences against the Publique Peace of our Realme: and first of the Misprisions.

Misprision is a ffrench word, and cometh of the ffrench verbe misprizer, which signifies to misesteeme, sleight, or undervalue: ffor (mis) in composition, both with the ffrench and English, answeres to the Latine

[1] The justices of the peace, like the justices in eyre, gave in charge to the jury the articles of which they were to enquire. With the passage of time these articles increased so that even in Lambard's time their number was evidently causing embarrassment to the justices. He accordingly recommended that only those laws which were of practical importance should be fully explained and the others "only touched or run over by way of short articles". Lambard, *Eirenarcha*, pp. 405, 406. This was the course normally adopted by Sir Peter.

word (male) : as in our language misdeeds, mischance, misbehaviour, &c. that is, ill-chance, ill-behaviour, ill-fortune.

Misprision then is as much as, misesteeminge, evill-prizinge or undervaluinge : and is either misprision of Traison, or Misprision of ffelony : and it is an offence against the Law, when any man shall so farre sleight or misvalue either Traison or ffelony, that he doth not reveale them, but conceale the same : howbeit in a large sence it is sometimes taken for many other great offences, which are neither Trayson nor felony.

Misprisions of Traison.[1]

1. To conceale High-Traison is misprision of high-Traison. 1° & 2° Phil. & Mar. ca. 10. 1° Edw. 6, ca. 12.

So it is also by the Common Law : Cookes Pleas of the Crowne, ca. 3. If any man know of any high-Trayson spoken or intended, he ought with all speede possible to reveale the same to the Kinge, or some of his counsell, or to some Magistrate.

Judgement by the Common Law, that for these misprisions of High-Traison the offender shall lose all his goods to the Kinge for ever ; and all the Profits of his landes for his life and suffer imprisonment duringe his life. Cookes Pleas of the Crowne, pa. 218.

2. fforging of money, which is neither the money of this Realme of England, nor current within the Same, is misprision of High-Traison : 14 Eliz. ca. 3.

3. To conceale the offeringe of the Pope's Bull, or Absolution from the Pope, & not to disclose the same within six weekes then next followinge, to some of his Ma^ties Privy Counsell or to his President of the Counsell in the North, or in the Marches of Wales, is misprision of High-Traison. 13 Eliz. ca. 2.

4. Receuinge one that hath counterfeited the King's coyne, knowing him to haue counterfeited the same. Sir John Conyers Case. Dier, pa. 296.

5. To strike any Kinge's Judges (sittinge in Court) is misprision of High-traison.

6. Strikinge a Jurour in the presence of the Judges sittinge in Judgement. Stanford Plees, fol. 38.

7. To strike & draw blood in the King's Palace. 33° Hen. 8, ca. 12.

8. A ribauld or vile rogue of base & meane quality to strike a knight or any honourable Person of higher degree, is misprision of Traison : Stanford's Plees del Corone, fol. 38, ffor the Kinge is as well the fountaine of honour, as Justice : and it is an undervaluinge of the King's Authority.

In these three cases judgement ut supra : and besides shall have his right hande cut of.

Anciently the offender was to have that hand cut of whereith he strooke. Stanford, fol. 38. But at this day it is ffine & imprisonment, & bonds of the good Behaviour. Bolton's Justice of Peace, lib. 2, pa. 8.

[1] Note it was not till the mid-seventeenth century that the two offences of treason and misprision of treason were clearly differentiated. For a discussion and account of their definition, see Holdsworth, op. cit., VIII, pp. 322–4.

9. To rescue a Prisoner arrested by any of the King's Judges sittinge in Judgement, is misprision of Traison: Stanford, fo. 38. Cookes Pleas of the Crowne, ca. 65, pag. 141.	9. Judgement ut supra to the 1.
10. All Ayders and maintainers of such, who pretend to have power to absolve and endeavour to withdraw any of the King's subiects of this Realme from their naturall obedience unto the power of the Pope, knowinge the same, and not revealinge it within 20 dayes after knowledge thereof, is misprision of Traison. 23 Eliz. ca. 1. But these that soe withdraw the King's subiects, and those that are withdrawne to the Church of Rome: and all their Counsellors are guilty of High Traison, ibidem.	10. Judgement ut supra to the 1.
Misprisions of ffelony.	Judgement
1. Concealinge a ffelony and not revealinge it to some Magistrate speedily after notice thereof, is misprision of ffelony by the Common Law.	1. ffine and ransome, and imprisonment at the discretion of the Judges. Bolton.
2. If any be present when a man is slaine & omit to apprehend the slayer, it is a misprision.	2. ffine and Imprisonment. Cookes Pleas, ca. 65.
3. If a Bayliffe of a Liberty, or Sheriffe, doe conceale a ffelony, it is a greate misprision. 3° Edw. 1, ca. 9.[1]	3. A yeares imprisonment and ransome at the Kings Will.

PREMUNIRI

I come now to the Premuniries: It is called a Praemuniri from the wordes of the Writ: which runne thus. Rex vicecomite &c. Praecipimus tibi quod Praemuniri facias A.B. ut sit coram nobis ad certum diem et locum. which the Lord Cooke saith, is onely to warne him to appeare. for Praemoniti praemuniti: forewarned is fore-armed: as we say proverbially: But I rather thinke it is the meaninge of the writ, that the sheriffe cause the Party to be guarded up to the place appointed in the Writ, as the word properly signifies: that is, to be sent up with a sufficient guard, as Prisoner's bee, least he escape: howbeit I find the word in ancient historians to be used for praemoniri: Brompton pa: 879: It signifies properly to be fortifyed before hand, to be prepared for an onset: and here possibly it may signify to be kept in custody before hand, to have a guard set uppon him.

The judgement in all Premuniries at the suit of the Kinge is that the Offender bee out of the King's protection, and forfeit his landes, tenements, goods and chattells, to the Kinge: and his body to remaine in Prison duringe the pleasure of the Kinge: 27° Edw. 3[11], ca. 1.[2]

[1] Coke deals with misprision of treason and of felony. Third Instit., cap. III, q.v.

[2] The praemunire statutes originated with the petition of 1344, which prayed that suits, in which the judgements of the King's courts were called in question, should not be brought in the Court Christian or in the Court of Rome. See F. W. Maitland, *Roman Canon Law in the Church of England*, p. 70.

So that any such might have beene killed by any man, untill the Statute of 5° Eliz. ca. 1 made it unlawfull.

and note that the forfeiture of lands here is to be understood of landes in ffee simple, or for life, which he might lawfully forfeit ; for tenant in taile shall forfeit onely for terme of life : Cooke's Pleas of the Crowne, ca. 54 page 126.

PARTICULARS OF PRAEMUNIRI

1. To pursue in the Court of Rome, or elsewhere, any proces, sentence of excommunication Bulls, or other thinges whatsoever against the King's Crowne and Regality, & all their abettors, incurre a Praemuniri. 16 Rich 2, ca. 5.

By these wordes of the Statute (in the Courte of Rome, or elsewhere) Ecclesiasticall Courts within this Realme are included within the worde elsewhere : so that it hath beene adjudged, that a suit in the Ecclesiasticall Courte within this Realm for a temporall Cause, was in case of a Praemuniri ; for the destroyinge of the Common Law was against the King's regality and Crowne.

and it hath beene adiudged in like manner, since the Ecclesiasticall Jurisdiction was acknowledged and settled in the Crowne : which acknowledgement was at a Convocation holden 22° Hen. 8. Cookes Pleas of the Crowne, ca. 54.

2. To refuse the Oath of Supremacy tendered lawfully by any person or persons authorized to take the same, beinge thereof endicted within one yeare next after such refusall, & convicted at any time after accordinge to the Law, is a Praemuniri. 5 Eliz. ca. 1. The second refusall is High Traison.

3. Any person of the Age of 18 yeares or above, and under the degree of a Baron, refusinge to take the oath of Obedience tendered unto him by Two Justices of the Peace (whereof one must be of the Quorum) is to be sent to the Gaole without baile till the next Quarter Sessions, where the sayd Oath shall againe be tendered in Open Sessions, and if the sayd Person shall then refuse the same it is a Praemuniri. 7° Jacobi ca. 6 : except weomen covert, who must be committed without baile, till they doe take the sayd oath.

4. Any person that shall by writinge, preachinge, or by any speach or open Act, wittingly maintaine the Authority of the See of Rome within this Realme, beinge lawfully endicted thereof within one yeare next after the offence committed, and lawfully convicted at any tyme after : and all Ayders and Abettors therein : it is a Praemuniri. 5° Eliz. ca. 1.

5. Any person bringinge into this Realme from the Bishop of Rome any Agnus Dei, crosses, pictures, or beades, or any that shall receive the same with intent to use or weare them, is a Praemuniri.

and also all Ayders & maintainers of such as procure any Bull from

the Bishop of Rome, to the intent to uphold or allow the sayd Jurisdiction, is a Praemuniri: 13° Eliz. ca. 2.

6. Any person, who shall be sued for purveyance in any action, that shall procure any Order in delay of such action, except by Writ of errour, or order of the same Court where such action depends, is a Praemuniri. 12° Car. 2, ca. 24.

To publish or utter by writinge, preachinge, or other speakinge, that the Parliament begun 1640 is not yet dissolved; or that there lyeth yet any obligation uppon any person from any oath, Covenant, or engagement, to endeavour a change of Government either in church or state; or that both houses, or either house of Parliament, have or hath a legislative power without the Kinge, or any wordes to the same efect, is a Praemuniri. Act of Safety 13 Car. 2.

Provyded none be prosecuted for these offences, unless by Order from his Ma^{ty}, or of the Councell Table directed to the Attorney Generall: nor any person incurre any penalty herein unless he bee prosecuted within six moneths next after the offence committed and endicted thereuppon within three moneths next after such prosecution, and be convicted by two lawfull witnesses uppon oath, or confession of the party.

In a Praemuniri all are Principalls: Bolton's Justice of Peace for Ierland, lib. 1°, ca. 48, page 185, 186.

8. To convey a Jesuite or Seminary out of this realme, or wittingly to relieve or maintaine him here, or in any ⟨colledge⟩ of the Jesuites beyond sea, is a Praemuniri; 27° Eliz. ca. 2.

9. Any justice of Peace, to whom the bringinge of Agnus Dei, crosses, or pictures from the Pope shall be declared, and not signifyinge the same to some of the Privy Counsell within 14 dayes next after, incurres a Praemuniri: 13° Eliz. ca. 2.

FINABLE OFFENCES

And so I passe to the last Generall Head of ffinable offences; and of these as briefly as I can: because tyme is very precious; and the business of Sessions must not be hindered.

I shall comprehend all ffinable offences against the Publique Peace under these two Generalls:
- Offences of Omission.
- Offences of Commission.

Offences of Commission are of three sorts:
- Offences of fforce.
- Offences of ffraud
- Offences of severall.

mixt natures and kind.

And I shall take them in order accordinge to this method proposed.

1. Constables not levyinge Huy & cry after ffelons, accordinge to the Statute of Winchester. 13° Edw. 1. — 1. ffine & imprisonment; see 27 Eliz. ca. 13. Cooke's Pleas of the Crowne, ca. 52.

2. Constables not settinge watch & ward in their Towneships from — 2. ffine & imprisonment.

Ascension Day to Michaelmas: 13° Edw. 1, ca. 4.

3. Such (as beinge warned by the Constable) refuse or neglect to levy hue & cry, or to keepe watch and ward; or refuse to assist the Constable in apprehendinge of felons or Traytours.

4. Constables, & all other officers, neglecting or refusinge to execute the warrant of any Justice of Peace, directed and delivered to them accordingly.

4. ffine & imprisonment.

5. Constables not apprehendinge sturdy rogues and vagrant Beggars, havinge no testimoniall.

5. forfeit 20 shillings for every offence 1 Jac. ca. 7, and every Person not bringinge a vagrant begginge at his dore unto the constable, forfeits 10 shillings. 1 Jac. ca. 7.

6. Towneships not havinge a payr of stockes, and their Common pounds, in good order.

7. All defects of High-Wayes, causies & Bridges. Any Justice of Peace may uppon his owne knowledge present these defects in any sessions.

7. To be ffyned at the discretion of the Justices.

8. Neglect of Constables & Churchwardens in not choosinge surveyours of the High-Wayes in (the Christians-cancelled) ⟨Easter⟩ weeke: But now they are to be chosen in Christmas weeke, by a late Statute of 22° Car. 2, made since this charge was given: ca. 12.

8. To be ffined every one of them in 20 shillings for default. 2° & 3° Ph. & Mar. ca. 8.

9. Surveyours duly elected refusinge to execute their office.

ffine of 20 shillings; 2° & 3° Ph. & Mar. ca. 8.

10. Supravisours not causinge the Highwayes to bee repayred sufficiently.

10. ffine at the Discretion of the Justices in the Quarter Sessions 2° & 3° Ph. & Mar. ca. 8.

11. Neglect of such as doe not mend the Highwayes beinge duly appointed by the Supravisors 2° et 3° Ph. & Mar. ca. 8 ratifyed 29 Eliz. ca. 5.

11. ffine of 10 shillings for every cart makinge default: and for every dayes default of a labourer or spademan 12 den. 2° & 3° Ph. & Mar. ca. 8.

12. Every supravisor not presentinge to the next Justice of Peace every defaulter in the High-wayes, within one moneth after the default made:

12. For every default not presented. 40 shillings. 5° Eliz. ca. 13.

13. Every Justice of Peace, after such presentment of defaulters made & delivered to him, not certifyinge the same at the next sessions.

for every default £5 os. od. to be imposed at the Quarter Sessions 5° Eliz. ca. 13.

14. Every person not scowringe his

14. ffine of 10$^{sh.}$ for every rood not

ditch adioyninge to the High-Wayes, where it is annoyance to the same.

15. Ever [*sic*] person not scowringe his ditch adioyninge to another close, which close lyeth to the High-Way side.

16. Every person not cuttinge the Trees and Bushes growinge in his hedge or ditch which are annoyance to passengers in the common-rode.

17. Every person obstinately refusinge to come to Church every Sunday not havinge any lawfull excuse. 1° Eliz. ca. 2: 3 Jac. ca. 4.

18. Every Person obstinately refusinge to come to ⟨our⟩ Church, beinge above 16 yeares old, & not repayringe to the Church of a whole moneth together.

19. Every person obstinately ⟨so⟩ refusinge a whole yeare together. 23° Eliz. ca. 1. But every person for any offence against this Act (except Traison & misprision of Traison) who shall before Iudgement submit in open sessions shall for his first offence be discharged from all forfeitures for the same.

20. Every ⟨seditious⟩ sectary not hearinge Divine Service in our Churches or Chappels for a moneth togather obstinately, or shall ioyne in Private Conventicles of their owne, beinge above 16 yeares old, and without lawfull cause.

21. Every Constable and Churchwarden not presentinge the monethly absence from Church of all Popish recusants within their townes & parishes & the names of the children & servants of such Recusants once every yeare at the Quarter Sessions.

22. Every coroner not viewinge the dead body murthered by takinge Inquisition, and not certifyinge the same to the Judges of Gaole Delivery.

23. Any person not appearinge, havinge no lawfull impediment, who shall be served with proces out of any Court of Record to testify any matter dependinge as a witnesse, and havinge reasonable charges tendered him.

so scowred; 18° Eliz. ca. 10: a Statute rood is ffiue yardes & a halfe.

15. ffine for every rood XII den. 18° Eliz. ca. 10.

16. ffine for every such default 10 shillinges. 18° Eliz. ca. 10.

17. ffine for every Sunday XII den so as the party be complayned of within a moneth after the offence be committed.

18. ffine for every moneth 20li. 23° Eliz. ca. 1.

19. Shall over & besides the other forfeitures be bound in a recognizance with two sufficient suretyes in 200 li. to the good behaviour (after certificate made thereof into the King's Bench) untill he shall come to church. 23° Eliz. ca. 1. Imprisonment for non-payment.

20. Shall be committed without baile, till they conforme 53 Eliz. ca. 1. and make open submission accordinge to the Act within three moneths: which if they refuse they shall bee abiured the Realme.

21. ffine for every default 40 shillings: 3° Jac. ca. 4.

22. ffine of $5^{li}o^{s}\cdot o^{d}\cdot$ 3° Henry 7, ca. 1.

23. ffine of $10^{li}o^{s}\cdot o^{d}\cdot$ to the kinge and such amends to the party greived, as in discretion the Judges of that Court (out of w^{ch} the proces issued) shall award; 5° Eliz. ca. 9, made perpetuall 29° Eliz. ca. 5.

24. Under-sheriffes and Bayliffes, executinge their offices, not havinge taken the Oathes of their Office, and of Supremacy:

Their forfeitures to be levyed by Justices of peace in their Quarter Sessions. 27° Eliz. ca. 12.

Offences of Force.

1. Riots, Routs and unlawfull Assemblies:

Riotum commeth of the ffrench verbe (Rioter) id est, rirare and in the law signifyeth, when three or more doe any unlawfull Act; as to beate any man, or to hunt in another mans park or warren, or to cut and destroy his corne, grasse, hedges &c. Routa, in latine Turba, signifyes a Company: from the ffrench word (Rout): and properly in lawe betokeneth when three or more doe any unlawfull Act in their owne or ⟨the⟩ Common Quarrell: as when Commoners breake downe hedges, or pales, or cast downe ditches: or inhabitants for a way claymed, should doe the like: vis legibus inimica.

An unlawfull assembly is, when three or more assemble together to doe a riotous Act, but doe it not.

2. To smite another in any Church or Church-yard.

3. Brawlinge in wordes and chidinge there. 5° Edw. 6, ca. 4. So that these seem to be onely an ecclesiasticall offence.

4. Drawinge a weapon in the church with intent to strike. 5° et 6° Edw. 6, ca. 4. beinge convicted thereof before Justices of Assise, or of the Peace in Sessions, by verdict, his owne confession, or two lawfull witnesses.

5. Fforcible entries, & forcible detayners against law.

6. Assaults, batteries, bloodshed, mayhems and all wrongfull takinge of Goods.

7. Duells, & single combates; if death ensue, it is murther in the slayer: Cookes Pleas of the Crowne, ca. 72.

24. fine 40li: one moiety to the kinge; the other to him that will sue for the same. 27 Eliz. ca. 12.

Judgement.

1. ffor greate Riots, a greate ffine, and a yeares imprisonment at least. ffor small Riots and routs, & unlawfull Assemblies, ffine & imprisonment at the discretion of the Justices this by the Common Law. 17° Ric. 2, ca. 8. 13° Hen. 4, ca. 7. 2° Hen. 5, ca. 8, 9. 8° Hen. 6, ca. 14°/19°. Hen. 7, ca. 13.

2. The offender to bee deemed ipso facto excommunicate. 5 Edw. 6, ca. 4.

3. a lay man to be suspended ab ingressu ecclesiae and a clerke from the ministration of his office duringe the pleasure of the Ordinary.

4. Uppon conviction to have one of his eares cut of: & if he have noe eares, then to be burned in the cheeke with the letter F: & to stand excommunicate.

5. ffine, ransome, & imprisonment: and restitution of possession: 15 Ri. 2, ca. 2. 8 Hen. 6, ca. 9.

6. ffine & imprisonment at the discretion of the Judges. Bolton.

7. If no death ensue, nor blood drawne, yet it is ffine & imprisonment, & surety of the good behaviour.

8. Ridinge or goinge armed in terrorum Populi. 2° Edw. 3, ca. 3. 7° Rich. 2, ca. 13. 20 Ric. 2, ca. 1.	8. Imprisonment & forfeiture of the Armour.
9. Lyinge in wait to kill, or maihem.	9. ffine & imprisonment & bonds of the good behaviour. Bolton.
10. Rescuinge of distresses, & Pound breaches.	10. ffine & imprisonment at the discretion of the Justices. Bolton.
11. Tumultuous Petitions to the kinge or Parliament, accompanyed with more then [*sic*] ten Persons, or suscribed with more then 20 handes.	11. ffine not exceedinge 100 li and 3 moneths imprisonment without baile. Act of Tumults. 13 Car. 2.
Offences of ffraud	Judgement
1. Extortinge of ffees by takinge more then [*sic*] is due: or exactinge ffees, where none is due.	1. ffine & imprisonment. Bolton: see 23° Hen. 6, ca. 10. Crookes Reports XI Car. pag 448. Bumpsted's case.
2. Escheators takinge above 40$^{shil.}$ for an office.	2. ffine of 40 li. 23 Hen. 6, ca. 17.
3. A coroner takinge above 13s. 4d. for an inquisition out of the goods of the slayer: and if he be escaped, then out of the amercements of the Township whence he escaped 3° Hen. 7, ca. 1.	3. ffine & imprisonment.
4. A coroner refusinge to doe his office uppon the body of one slayne by misadventure without ffees.	4. ffine of 2 li. 1° Hen. 8, ca. 7.
5. Sheriffes, undersheriffes and their clerkes, enteringe of plaints in the County Court without notice of the plaintiffe, and dividinge one contract or trespasse into severall plaints.	5. ffine & imprisonment. Bolton.
6. Sheriffes levyinge the Kings debt without shewinge to the Party the estreates under the seale of the Exchequer.	6. ffine to the Kinge at the discretion of the Justices, and treble damages to the party grieved: 42 Edw. 3^{ii}, ca. 9. 7° Hen. 4, ca. 3.
7. Sheriffes, or gaolers, denyinge to receive ffelons, or takinge anythinge for their receit. By the Statute of 4° Edw. 3^{ii}, ca. 10, this is onely punnishable by Justices of Gaole Delivery.	7. ffine & imprisonment 4° Edw. 3^{ii}, ca. 10.
8. Ordinaries, or their scribes and Registers [*sic*] takinge above six pence for the probate of a Testament; and the like for letters of administration where the goods be not above 5 li os. od.; and if above 5 li & under 40 li then 2s. 6d. to the ordinary, and 1s. od. to the Scribe, if above 40 li then 2s. 6d. to the Ordinary & 2s. 6d. to the Scribe: 21° Hen. 8, ca. 5.	8. ffine of 10 li; and to the party grieved, so much as is taken contrary to the Statute: 21 Hen. 8, ca. 5, of this 10 li, one moiety to the kinge, and the other to the party greived that will sue for the same.
9. Parsons or Vicars takinge a mortuary from any whose goods are	9. forfeits all taken above his due, and 2 li os. od. to the party greived:

under 10 marcks, or from any woman covert or not keepinge house: And if the goods be above ten marckes and under 30 li, then takinge above 3s. 4d. Or if above 30 li and under 40 li, then taking above 6s. 8d. Or if above 40 li, then takinge above 10s. od. for a mortuary. 21 Hen. 8, ca. 6.	to be recovered by him that will sue in any Courts: 21 Hen. 8, ca. 6.
10. Takinge above 1s. od. by the Clerke of the Peace, and also 1s. od. by the Justices, for the inrolment of a bargaine & sale of landes under 2 li os. od. value yearely: And where the landes exceede that value, then takinge above 2s. 6d. by the Clerke, and above 2s. 6d. by the Justices, for the like enrollment. 27 Hen. 8, ca. 16.	10. ffine & imprisonment.
11. Clerke of the Peace takinge above 1s. od. for the licence of a Drover or Badger; or above os. 8d. for a Recognizance not to forestall or engrosse; or above os. 4d. for registringe the sayd licence & recognizance; 5 Eliz. ca. 12.	11. ffine & imprisonment.
12. Clerke of the Peace takinge above 1s. od. for the licence & recognizance at the sessions to shoote in a hand-gunne for Hawkes-meate onely, and the Party beinge bound not to shoote neare any Pigeon-house. 1° Jac. ca. 27.	12. ffine & imprisonment.
13. Any clerke belonginge to any Justice of Peace takinge above 1s. od. for the recognizance of an alehouse-keeper. 5° Edw. 6, ca. 25.	13. ffine & imprisonment.
14. Clerke of the market takinge a bribe to dispence with false measures.	14. ffine & imprisonment.
15. Jurors takinge any reward to make favourable Presentments.	15. Imprisonment & ransome and never after to bee made a juror. 5 Edw. 3^{ii}, ca. 10: but 34 Ed. 3, ca. 8. 38 Ed. 3^{ii}, ca. 12 decies tantum: and if he have not to pay, then a yeares imprisonment.
16. Any person, havinge got money or goods into his owne possession, by any false token or counterfeit letter.	16. Greate ffine & the good behaviour. Bolton B 1, ca. 20, s. 36. By the common law, 33 Hen. 8, ca. 1, imprisonment or Pillory: but not ffined: Cookes Pleas of the Crown; ca. 60, by the Statute.
17. Millers takinge toll by the heape, and not by a toll-dish allowed.	17. ffine & imprisonment. Stat. of victuallers, sub Edw. 2, ca. 4.

18. Subornation of any witnesse to commit wilfull periury in any suit. And every person committinge wilfull periury by any false deposition in any cause, materiall to the thinge in variance. 5 Eliz. ca. 9.

18. The suborner forfeits 40 li and if not worth so much, then halfe a yeares imprisonment without bayle, and pillory, and his testimony barred, & the party grieved to recover damages.

The periured person 20 li; 6 moneths imprisonment without bayle; his testimony for ever disabled; if not worth 20 li then to be set on the Pillory, & both his eares nayled. 5 Eliz. ca. 9.

19. Wittingly & falsely to forge any writinge, charter or deede, or any will; is ffine & imprisonment at the Common Law. Bolton.

but Justices of Peace have no power to punnish it: 5° Eliz. ca. 14.

19. The offender to pay the Party grieved double costs, and to suffer Pillory, and both his eares cut of, and his nostrills slit & seared; & his landes forfeited for life, & to be imprisoned for life. 5 Eliz. ca. 14. The second offence is ffelony without Clergy.

20. Champerty: id est Campi Partitio: and it is in law the maintaininge of another man's suit, covenantinge to have part of the thinge in variance, in case he recover.

20. ffine at the King's pleasure; and 3 yeares imprisonment 33° Edw. 1. Statute of Champerty.

21. Maintenance is the maintaininge of another mans suit without havinge any part of the thinge.

21. ffine & imprisonment 28 Ed. 1, ca. XI. 1 Ed. 3ii, ca. 14. 1° Ri. 2, 4.

22. Embracery of jurors is another greate offence of ffraud in the Law: as to labour a jury, to instruct them, or put them in feare, or to labour them to appeare privily or craftily for pervertinge of Justice.

22. Ten tymes so much as he giveth to such Jurors, or a yeares imprisonment. 18° Edw. 3ii, ca. 12.

23. Usinge false weights and measures and Head Officers in Market Townes not viewinge twice a yeare nor examininge of weights and measures there.

23. ffine & amercement at discretion of two Justices, whereof one to be of the Quorum. XI Hen. 7, ca. 4.

24. Fforestallers of markets: It is a word derived of two old Saxon wordes; Far or Fare which signifyes a way or passage; & stall, which signifyes a stop or hinderance: so that a fforestaller is a hinderer of the ffare or market place, by buyinge up the victualls and provision by the way before it reach the market, and enhancinge the Price of Commodities.

Ingrossers are such as ingrosse into their handes and buy up corne in the fields growinge, or other Corne, butter, cheese, ffish, or other victualls with intent to sell them againe.

24. For any of these offences against this branch, the first tyme is imprisonment without baile for two moneths, and to forfeit the value of the cattell or victualls so bought & had.

The second offence imprisonment for halfe a yeare & loose the double value of the goods.

The third offence, shall be set on the pillory in the towne where he lives, loose all his owne goods & cattle & imprisonment duringe the King's pleasure. 5° Eliz. ca. 12. 21 Jac. 22.

Regrators are such as buy up in any market all the Corne, ffish, butter, cheese, candles, tallow, lambs, calves, swine, pigs, geese, hennes, chickens, pigeons, conies, or other dead victualls whatsoever, brought into the market to be sold, and shall sell them againe in any market kept in the same place, or within fowre miles of the same place.

Regratement in ffrench signifies Huckstery.

The Justices of Peace in their Sessions may grant licences to Drovers & Badgers, for a yeare onely; but may be renewed. 5 & 6 Edw. 6, ca. 14.

25. Any deceit in the Trades of any Artificer or tradesman.

25. ffine & imprisonment.

26. Conspiracy in Labourers & servants not to worke or serve at the rates published by the Justices of Peace.

26. ffine & imprisonment.

27. Conspiracy of two or more to indict an innocent man of felony: afterwards the Party is lawfully acquitted by the verdict of 12 men. The party may have remedy by a writ of Conspiracy & recover damages, & the defendant shall be imprisoned.

27. At the suit of the Kinge uppon conviction, followes the villanous Judgement viz^{t}. The offenders testimony reiected, his house razed, his trees rooted up, his meadowes plowed up, landes & goods seized into the King's handes, & imprisoned duringe life. Bolton's Articles to the Grand Jury, pa. 13. Cookes Pleas of the Crowne, ca. 66.

2^{ly} by an endictment at the Suit of the Kinge, whereof the Judgement is criminall: Cookes Pleas of the Crowne, ca. 66.

28. Breakinge of the Assize of bread & drinke, by such as sell ale or bread.

28. The first, second & 3rd. tyme he shall be amerced; the 4th offence is Pillory for the man baker; and tumbrell for the woman baker and the tumbrell for the brewer. Statute of Pillory, 51 Hen. 3^{ii}, 13 Ri. 2, ca. 8, Bolton's Articles to the Grand Jury, pa. 13.

29. All other false and deceitfull practises, tending any way to the preiudice of the nation, or perverting of justice.

29. ffine & imprisonment and bonds of the Court. Bolton.

30. Common barretours: the word barretour some derive from the ffrench word (Barateur) which signifyes a deceiver, or cheatinge knave; others derive the word barretry in latine barretrium, from our English word Barre, and retium an old word

30. ffine & imprisonment & bonds of the good behaviour; this is the Judgement by the Common Law. Bolton.

signifyinge an offence commonly added in the termination of wordes, so that Barretry is as much as, the Crime of impleadinge men at the barre of Justice vexatiously. Cookes Reports lib. 8. Case of Barretry: the offender in the old latine wordes of our lawe is stiled Communis Barrectator: and with us implyes in the law a vexatious trouble-some person, who impleadeth others vexatiously and moveth debates amonge neighbours to get gaine.

There must be three Acts and offences at least in this kind to prove a common-barreter. Bolton.

Offences of mixt natures — Judgement

And so I come to the last kind of ffinable offences, which are of severall mixt natures.

1. Any person keepinge ffair or market in any Churche-yoard, contrary to the Statute of Winchester, 13 Ed. 1, ca. 6.

2. Any person that shall say masse & any that shall heare masse willingly. — 2. The sayer forfeits 200 marks & imprisonment for a yeare. The hearer 100 marks & imprisonment for a yeare. 23 Eliz. ca. 1.

3. Speakinge in derogation of the booke of Common Prayer, or depravinge of it: Act of Uniformity. 1° Eliz. ca. 2. Justices of Peace have no power to punish this offence: because other judges are appointed by that Act. — 3. 100 marcks or six moneths imprisonment for the first offence. 400 markes or a yeares imprisonment for the second offence. And for the third offence, all his goods & imprisonment during life.

4. Drunkards: the common sin of our nation and bane of Our gentry, degeneratinge man into a beast: 4 Jac. ca. 5. ffive shillings for every offence herein to the poore of the parish, where the offence was committed: if he have no goods, then to sit in the stocks six houres: and for the second offence, to be bound with sureties to the good behaviour, and for want of sureties to be sent to gaole.

5. Prophane cursinge and swearinge. If the offender be under 12 yeares old, and do not forthwith pay the summe of twelve pence, then to be whipped by the Constable, or by the Parent or Maister in the presence of the Constable: 21 Jac. ca. 20. — 5. for every oath or curse duly convicted XII pence: and for want of distresse, to sit in the stockes 3 houres. 21 Jac. 20.

6. An inkeeper or Alehouse-keeper sufferinge others to tipple and drinke in their houses disorderly & to continue there at unfittinge tymes.

7. Every person continuinge tiplinge and drinkinge in an alehouse disorderly: And every alehouse-keeper harbouringe disorderly company and drinkers, is ipso facto to be suprest for 3 yeares. 21 Jac. ca. 7.

8. Every person sellinge Ale without licence of two Justices of Peace, except at a ffair-tyme onely. 3° Car. 1, ca. 3.

Or he may be punished by the Statute of 5 Edw. 6, ca. 25.

9. Any person publishinge false Prophecyes, with intent to stirre up rebellion, or other disturbance within his ma^ties dominions.

10. Spreaders of false newes tendinge to discord and dissension betweene the Kinge & his People; or to discord amonge the Noblemen & greate Persons. Inter Leges Alfredi before the Norman Conquest, ca. 28, had their tongues cut out, if they redeemed it not with Price.

11. To keepe a schoole-maister who shall not repaire to the Church once a moneth, or be allowed by the Bishop of the Diocesse.

12. The takinge of swannes egges out of the Nest belonginge to another, either in a man's owne ground or any other man's ground. None who hath not landes of the cleare yearely value of ffive markes, may have a Game of Swannes of his owne. 22° Edw. 4, ca. 6.

13. Takinge partridges or Phesants by any net or engine uppon another man's land without his consent.

14. Hawkinge or huntinge in the standing corne of another.

6. ffine of 10 shillings to the poore of the parish where the offence was committed. 1° Jac. ca. 9.

7. For every offence 3s. 4d. to the use of the poore as aforesayd: 4 Jac. 5. 21 Jac. ca. 7, if not able to pay, then to sit 4 houres in the stockes.

8. foffeits 1 li os. od., or to be whipt: to the poore as aforesayd.

Second offence, to be sent to the house of correction for a moneth. 3rd offence, to bee sent to the house of correction till he be delivered by sessions 3 Car. 3.

9. Forfeits 10 li, and imprisonment for a yeare without baile. The second offence, imprisonment for life & forfeiture of all his goods. 5° Eliz. ca. 15.

10. To bee imprisoned till he hath found out the Author: Stat. of Westminster 3° Edw. 1, ca. 33, & 2 Ric. ca. 5. Statute of Glocester.

If he cannot find out his Author, then to be punnished by the Advice of the Privy Councell. 12 Rich. 2, ca. XI. A spreader of ffalse newes, as well as the contriver, done with evill intention may be bound to the good Behaviour (quia contra pacem) though he doe produce his Author. Yonge's vade mecum.

forfeits 10 li for every moneth: and the schoole maister soe teachinge shall be disabled to teach, and suffer imprisonment for a yeare without baile. 23° Eliz. ca. 1. See also 1 Jac. ca. 4. 2 li os. od. a day.

12. A yeares imprisonment, & ffine at the King's will: 11 Hen. 7, ca. 17. hee that hath landes to the yearely value of 3 li 6s. 8d. may seize the swans of him, who hath not lande of that value: 22 Ed. 4, ca. 6.

13. forfeits 10 li 11 Hen. 7, ca. 17. See 23 Eliz. ca. 10, 7° Jac. 11, 1 Jac. 27.

14. ffine 40 shillings to the owner &c: 23 Eliz. ca. 10.

15. To call the Kinge heretique or Papist, or that he endeavours to introduce Popery or shall by wordes or writinge utter any thinge which may cause dislike of his Ma^ties person or the government established.

15. is made uncapable of havinge or enioyinge any office or Promotion in Church or State; and such other punishment as by the common Law or Statutes may be inflicted. Act of Safety. 13 Car. 2. That is Pillory or imprisonment see 1° & 2° Ph. & Ma. ca. 3. 23 Eliz. ca. 2.

16. Takinge interest of money above 6li os. od. per centum, & so ratably.

16. Forfeits the treble value of the moneyes lent. 12° Car. 2, ratifyed 13° Car. 2.

17. Every Scrivener or Broker takinge above 5 sol for brocage or procuringe the forbearance of 1000 li for a yeare, & so ratably, and above twelve pence for makinge a bond.

17. for every such offence 20 li & imprisonment for halfe a yeare. 13° Car. 2.

18. To course or kill any deere in any forrest or parke without the owners consent, or shall be aydinge thereunto; beinge prosecuted within 6 moneths after the offence done.

18. ffor every offence 20 li, to be levyed by distress; under the hand of any one justice before whom the Offender shall be convicted.

and for want of distresse, to be sent to the house of Correction for six moneths, or else to the common Gaole for a yeare without baile, at the discretion of the Justice: & bonde of the good behaviour for a yeare after his enlargement 13° Car. 2, ca. 10.

19. Refusinge to provide sufficient carriages for the kinge or queen in their progresse.

19. Every person so refusinge forfeits 40 shillings to the King's use, to be levyed by distresse forth-with by the warrant of the Justices.

Act for the King's carriages 13° Car. 2.

20. Any person erectinge a cottage, & not layinge 4 statute acres thereunto.

20. forfeits 10 li to the Kinge. 31 Eliz. ca. 7.

21. Every person willingly continuinge any such cottage.

21. is 40 shillings for every moneth soe continued. 3 Eliz. ca. 7.

22. Overseers of the Poore, not relievinge & providinge for the poore impotent & blind, who are not able to worke, or not settinge the able poore on worke.

22. For every such default 20 shillings. 43 Eliz. ca. 2.

23. Every poore person, able of body, and refusinge to worke, beinge appointed by the Over-Seers.

23. To be sent to the house of Correction. 43 Eliz. ca. 2.

24. I come to the scabs and vermine of a kingdome, as a learned divine calls them, Idle wandringe rogues and sturdy beggars which are to be whipt and sent backe with a testimoniall to the last place where

24. Who shall be adiudged Rogues, beinge above seven yeares old. 39 Eliz. ca. 4.

(1) Schollars goinge about begginge.

(2) Seafaringe men pretendinge

they have beene legally settled; 39 Eliz. ca. 4; or if that, and the place of his birth cannot be knowne, then to be sent to the house of Correction by the Constable of that village, through which he last passed without punishment, to be placed in service for a yeare, &c.

Every person apprehendinge a rogue or wandringe beggar, is to have two shillinges for every wanderer, from the constable of that towne through which such wanderers passed last unapprehended, by warrant of such justice to bee levyed, to whom such wanderers shall be brought: and if he refuse, vide le Statute of 14 Car. 2, ca. 12.

But I finde the Constables of our County, exceedinge negligent in their duty of apprehendinge vagrant rogues: whose punishment herein I have before told you in the offences of omission: and therefore, Gentlemen, I pray you be carefull to present these negligent constables. It is a matter will highly concerne you, in prevention of youre hedges stript, and houses robd, and other mischiefes.

25. Such as shall be iudged incorrigible rogues in open sessions.

26. One runninge away, leavinge his wife and children to the parish, so as to be chargeable to the same.

27. And lastly I commend to your Care all conventiclers and private meetings under pretence of religion, contrary to our Lawes (fitly ranked next to the Rogues, but more daungerous enemies to our State).

losses by sea, & goinge about begginge.

(3) All idle persons wandringe in any county, either begginge, or usinge any unlawfull games, or pretendinge to have skill in physiognomy, palmestry, or tellinge of ffortunes.

(4) All pretenders to be procurers patent-gatherers or collectours of gaoles & hospitalls.

(5) All ffencers, bearewards, common players of enterludes. see 1 Jac. ca. 7.

(6) All minstrells wandringe abroad, except those licensed by the heyres of Dutton of Dutton in Cheshire, & the city of Chester.

(7) All Juglers, tinkers, pedlars, and petty-chapmen wandringe abroad.

(8) All wandringe persons, able of body, & refusinge to worke at the wages taxed by the justices.

(9) All persons delivered out of gaoles, that begge for their ffees or travell begginge.

(10) All such as begge, pretendinge losses by ffire, or otherwaies.

(11) All such as not beinge ffelons, pretend to be Egyptians, or wander in the habit of Egyptians. 39 Eliz. ca. 4.

(12) All wandringe glasse-men to sell glases, by 1° Jac. ca. 7.

25. are to be branded on the left shoulder with a Roman R, and sent to his last dwellinge if he offend againe in wandringe, it is ffelony without Clergy. 1 Jac. ca. 7.

26. is an incorrigible rogue 7° Jac. ca. 4. & so to be punished, in open sessions: A person able to worke, & threatninge to run away, & leave his ffamily uppon the parish, proved by two witnesses before two Justices, may be sent to the house of Correction as a sturdy rogue; unles he put in sufficient bond for discharge of the Parish. 7° Jac. 4.

[In the first drafts of Sir Peter's speeches—in " Complete Practice " and " Quarter Sessions Law "—this speech appears as a continuation of the first speech, made at Northwich in 1660. Apparently he developed it into a separate speech, and delivered it at Nether-Knutsford, because the original draft proved too long. The preliminary drafts for the Nether-Knutsford speech are to be found in " Complete Practice ", pp. 71–98, and in " Quarter Sessions Law ", pp. 77–145.]

A CHARGE given by mee to the Grand Jury at the Michaelmas Quarter Sessions, anno domini 1666, at Nether-Knotsford.

Gentlemen

The end of Government is the Preservation of a Kingdome or People in peace and safety: And the due observation of the Lawes is the meanes conducing to that end.

The Philosopher, lib. v Ethicorum, divideth Justice into universall, and particular: The Universall Justice he defines to bee the due observance of all lawes for promotion of the Publique Good, and preservation of politicall Society: and this differs from the Particular Justice, not onely as Totum et Pars, but also in respect of the end; ffor the Particular Justice hath respect onely to him that hath it: But the universall hath respect to another, as to the Common Good: and therefore Aristotle calles Justice *ἀγαθὸν πρὸς ἕτερου κιἀλλὸτσιον* another mans good: ffor every man may challenge and expect Justice as due: but ffavours may be conferd at pleasure.

Now this universall Justice is of such large extent that indeed it includes all other vertues in it: which Theognis the Poet longe since observed:

ἑνδε δικαιο σὺνη συλλήβδην πασ' αρετὴ ερὶ: All vertues are in Justice under stood.

πᾶρ δς δὲ τ'άνὴς ἀγαθος, Κὺρνε, δικαιος ἐών. Each man o Cyrnus who is iust, is good.

And so frequently in the New Testament, the Just man and the Good man are used for the same: as when it is sayd by Saint Peter, if the Just scarcely be saved, where shall the wicked and ungodly appeare. now the opposite to wicked & (godly—cancelled) ungodly men, is the Good & godly men: but the most remarkeable place, where in one verse they expound one another is Rom. V, ver. 7, where our English Translation reades very absurdly thus—for scarcely for a righteous man will any one dye: yet peradventure for a good man some one would dare to dye. *1 Pet. 4, 18.*

There is no such a word as (yet peradventure) in the Originall: for the coniunction *γὰρ* in the originall, is alwayes used as a causall, answerable to the latine enim, which never begins the sentence; or else is used in interrogations: and if we reade it accordinge to the Originall here after the Translation aforesayd, The English Translation would be more incongruous: for then it would be thus—for scarcely for a righteous man will any one dye: for a good man some would even dare to dye: which is a contradiction.

And if it be read with the word *τὰχὰ* in the originall which answeres

to the opposite adverbs *μόλις*, it would make the English most incongruous & contradictory, thus—for scarcely for a righteous man will any one dye : ffor a good man someone will even speedily (or readily) dare to dye.

Interpreters have much perplexed themselves with little successe : who distinguish here between the righteous man, and the good man : the good man, say they, is here meant for the charitable man : and is more than a iust or righteous man : for such a one, possibly they iudge some may be willinge to lay downe their life : but why more for a charitable man then a Just man ? if you say, because possibly by his charity he might have saved the life of another by relievinge him from starvinge, who therefore in gratitude might be more willinge to dye for one that had saved his life ; I answere, that so likewise a Just man might possibly have saved the life of some other, from the violence & uniust accusations of his malicious enemies, who sought to take away his life falsely ; and so that person in gratitude possibly also might be more willinge to dye for the Just man who had saved his life before : but why for a charitable man, more than a iust man, without any private respect or curtesy received : This will be hard to demonstrate by good reason : but if this were granted yet how incongruous doth our English translation reade.

Heinsius unties the knot : and tells us it is to be read with an interrogation in the latter part of the sentence : ffor Points & distinctions were often tymes omitted in ancient coppyes, as at this day are yet to be seene by frequent examples & bookes of ancient manuscripts : Thus then it is to be read—*μόλις γὰρ ὑπέρ δικαιου τίρ ἀποθανεῖται : ὑπὲρ γὰρ τοῦ αγαθοῦ τάχα τιρ κι τολμᾶ ἀποθανεῖν :* ffor scarcely for a iust man will any one dye : for dares any one dye for a good man quickly ?

And so all dificulty is taken away : *δικαιος & αγαθός* the iust man and the good man, expoundinge one another : and the Greek very genuine for it, & noe other way to be understood : Interrogations in Scripture beinge frequent for negations : and is as much here, as if he should have sayd, that ffew or none dares dye readily for a good man ; but not without some difficulty at least : yet Christ layd downe his life not for good men & righteous, but for us whiles we were yet sinners ; as followes in the very next verse : and that freely without scruple or delay : and seemes to be the very meaninge of the Apostle.

So then if Justice includes all virtues in it, then Iniustice must include all vices, by the rule of contraries : we usually say ingratum dixeris : for gratitude flowes from Justice and is included in it : and ingratitude within iniustice, as the Particular in the Generall : And if you shall call any one an uniust man you neede say noe more—you cannot say worse of him.

Now for the particular Justice, that is one of the fowre cardinall virtues ; and sits as Pope (If I may so speake) amonge those Cardinalls, beinge the most Principall of them, & of chiefest use in Politicall Society : and is subdivided into Distributive Justice & Commutative.

The distributive Justice is that which chiefely concernes us in this place, as related to the Courtes of Justice : ffor the Law is but an effect of Justice, as Ulpian affirmes : and such a rule, as all wise men, or most wise men, doe Judge to be right and equall : and the Judges are but Commissioners appointed by the supreme power to see those Lawes duly executed : *δυσύάζεται δίκαιον δτι δίχα ἐριν : κιὸ δικαρής διχαρὴς* li. V Ethicorum ca. 7 : it is called *δίαιον*, as it were a thinge cut into two equall partes : and the Judge as one who cutteth and divideth a thinge into two equall parts : and exact Justice cuts a thread, as we say : and divides a matter, to a haire.

There is a greate difference betweene these two, *πρὰττειν δικαίως* and *πραττειντὰ δίκαια* ; doinge iustly and doinge what is iust : ffor a man may doe a iust thinge accidentally : so the Tragedian Seneca excellently—Qui quid statuerit parte inaudita altera aequum licet statuerit haud aequus fuit : He that gives sentence one side beinge unheard ; allthough the sentence be right, yet was he noe righteous Judge. for it might not have beene right, for ought he knew ; but to doe iustly, must be sponte, sciens, volens : that is ffreely to doe a thinge out of zeale & habit of Justice, knowinge it to bee iust and right : as to singe a tune musically, none but he that hath learned the Art of Musicke can doe it :

Most men begin at the wronge end of Justice : ffor if the doinge of a matter suit with their owne interest, or likinge of a greate Person whom they are affrayd to displease, or of some friend whom they have a mind to favour, then it shall be done ; otherwise not, though never so iust whereas they ought first to doe the thinge that is iust and equall, Let private Interest, or favour of others, prove as it will : ffor he that will not keepe to the strict rule of Iustice uppon any consideration whatsoever, it is impossible that such a one can be an exact Just man.

As also he that seeketh to the Judge before hand in his cause either suspects the Judge to be a knave, or else would have him soe : for if he knowes the Judge to be an honest man, to what purpose doth he move him before hand, till both sides come equally togather, and if hee would encline the Judge to his part uppon any Condition, you may easily guesse what he would have him to bee.

But now, gentlemen, that I may come to the Present business in hand, it is your duty to present all offenders against the Lawes, and it is our duty to punnish them, both impartially :

There are many Particulars which belonge to your charge. I shall at this tyme in especiall manner onely commend unto your care, two or three thinges, which more chiefely at present concerne the peace of this county, and the whole kingdome.[1]

[1] Like the justices in eyre, the justices of the peace gave in charge to the jury the articles of which they were to enquire. By Lambard's time the number of articles evidently caused embarrassment to the justices, for he recommends that only

And here I shall begin with the moles of our state and Government: who secretly, and under ground as it were, are ever workinge against the Peace and unity both of Church and State. And these are Sectaries of all Sorts on the one hand, and Papists on the other.

There was an Act made lately against the Quakers, 13° & 14° Car. 2, ca. 1. A silly Sort of People lately sprunge up, never heard of amonge us till the late Rebellion of the Parliament ffostered them up, and gave liberty to all sects and schisms whatsoever: and then also, when the Reines of all Government were let loose, encreased other sectaries, as Presbyterians, Anabaptists, Independents, and what not. So that the whole fface of our flourishinge and most Aposticall Church of England was overspread, and almost quite defaced by them; till it pleased God to revive it againe by the restoration of his Ma^tie.

and then I say was this Act against the silly Quakers made, prohibitinge them all meetings above the number of ffive in order to religious worship not authorized by the Lawes of the Realme: whiles as yet all other more dangerous sectaries were not restrayned.

But the wisdome of the Parliament consideringe the unequallnes of that former Act, and fore seeinge the Greater danger of not restrayninge other sectaryes also, made a more equall Law, 16° Car. 2, ca. 4, 1664, wherein power is given to two Justices of Peace to make record and convict all Persons whomsoever, who shall be at any Private Conventicle contrary to the Law established, beinge above sixteene yeares of Age and above ffive in number.

The first offence is 3 moneths imprisonment, or 5 li.

The second is 6 moneths imprisonment, or 10 li.

The third is to be committed till the next Quarter-Sessions &c. and then to be indicted: and uppon conviction, to be transported beyond seas &c. or pay 100 li.

And the Penalty of this Act extended to our old enemyes the Papists, as well as to any new sectaries whatsoever: because none are exempted, whose meetings are dissonant from the Church of England: besides there are sundry sharpe Lawes touchinge the Papists (made in the raignes of Q. Elizabeth and K. James) now in force; and ought to be put in strict execution, if we desire to preserve the peace of our Church and State. See *infra* pa. 49, 50 &c.

[The preliminary draft of this speech can be found in "Quarter Sessions Law", pp. 148–54.]

those laws which were of practical importance should be fully explained and the others "only touched or run over by way of short articles". W. Lambard *Eirenarcha*, (1619), pp. 405, 406. Sir Peter ran through the articles in detail in his earliest charges, but later tended to confine his observations to the most topical and critical legal issues involved.

A CHARGE given by mee to the Grand Jury at the Michaelmas-Quarter Sessions held at Nether-Knotsford, in October, Anno Domini 1668. *1668 at Nether-Knotsford.*

Gentlemen

The power, office and jurisdiction of Justices of Peace (saith the Lord Cooke in his Jurisdiction of Courts, ca. 31) is such a forme of sub-ordinate Government for the tranquillity and quiet of the Realme, as no part of the Christian world hath the like, if the same be duly executed.[1]

Indeed the due execution of the Lawes is the greate Maister wheele of Government which keeps even the motion on the Inferiour wheeles, that otherwaies would be very extravagant & irregular: Like the Primum Mobile, which accordinge to our Astronomers doth whirle about all the inferiour orbes in their due place & order, even to the Preservation of the Universe.

And there is not a surer Argument of a flourishinge & well established throne, then when the streames of Justice flowe to every man's dore through every corner of the Kingdome; nor on the contrary, can there be a more certaine symptome of a declininge, totteringe, and decayinge state or kingdome, then is the Generall dissolution of manners for want of due Administration of Justice.

And as the want of Justice ⟨to bee⟩ executed by those in authority brings greate inconvenience on a nation or People, so it bringes no small odium uppon themselves: for the unrighteous Judgement breedes mutterings and grudgings secretly in the hearts of the hearers: and so such become an occasion of mutiny and discontents, which they ought by all possible meanes to supresse.[2]

Gentlemen

It hath now pleased God to blesse us with the greate blessinge of peace with our late enemyes abroad, the Dutch: and he hath not longe since

[1] cf. Blackstone, who points out that the commission of a Justice of the Peace "empowers him singly to conserve the peace and therefore gives him all the power of the ancient conservators at the common law, in suppressing riots and affrays, in taking securities for the peace and in apprehending and committing felons and other inferior criminals".—*Commentaries*, Bk. 1, ch. 9. Volumes of Orders of the Court of Quarter Sessions, which have been preserved, indicate too the extent of his administrative powers, for he is seen at work establishing settlements in parishes, making assessments for rates, repair of highways and bridges, licensing alehouses, dealing with bastardy and apprenticeship and in addition tackling certain semi-judicial matters, such as titles to land and disputes over wages or between customer and tradesman.

[2] Compare the exalted conception of the power and responsibilities of magistrates set forth by James I: C. H. McIlwain, *The Political Works of James I* (1918), p. 277.

delivered us from the greate slaveries & oppressions of our enemies at home, and restored our Church and State to its Pristine glory out of the Ashes of a dismall confusion and a horrid rebellion : blessed be God for all his most gracious deliverances :

Yet it will concerne you, & all of us, to have a watchfull eye over these violent spirits and secret enemies yet remayninge amonge us : who wayte onely an opportunity of settinge the whole Kingdome in a new flame : And it is sayd, that some have lately moved above * for toleration of Nonconformiate ministers : to whom it would be well answered, as Solomon answered his mother Betheshebah when she desired Abishag the Shunamite to wife for Adoniiah—

** in the house of Commons by Colonel Birch of Whitborne in Hereford-shire.*[1]

And why doest thou aske Abishag for Adoniiah. Aske for him the Kingdome also : for he is my elder brother, and hath for him Abiathar the High-Priest, and Joab the son of Zerviah : God doe so to me & more also, if Adoniiah hath not spoken this word against his owne life.

ffor God had endued Solomon with an extraordinary measure of wisdome : who presently apprehended, that if she (who had layn in his ffathers bosome) should at that nicke of tyme beene given Adoniiah to wife, The people would have imagined that it had beene Davids desire to have had Adoniiah to have ruled after him, who had beene so honoured : And so all the people would have beene drawne to the part of Adoniiah ; especially havinge the right of Primo geniture, and beinge backed with two of the greatest men in the Kingdome, The High-Priest, and Joab the Generall of the whole army of that Kingdome.

So these kind of men, I meane Nonconformists, were the maine Occasion and drawers on of the late Rebellion, as is not unknowne to most of us here present ; by instillinge seditious principles into the People from the Pulpit & other places also : So that if these men receave a Toleration againe, every man may easily guesse what will follow.

But I say it will be your wisdome, as well as ours, to have an especiall eye over all such disaffected persons, and to present them : and you are forsworne, if you doe not present them ; as many as you knowe ; and methinkes some of you cannot but know of some of them ; for they have

[1] For speeches on toleration by Colonel Birch, see Hansard's *Parliamentary History*, vol. IV (London), 1808, p. 418 (1667–8) ; p. 446 (1669). " And therefore must I now turne mee to you that are Iudges and Magistrates under mee, as mine Eyes and Eares in this case. I can say none otherwise to you, then as Ezekias the good King of Iuda said to their Iudges, *Remember that the Thrones that you sit on are Gods, and neither yours nor mine.* And that as you must be answerable to mee, so must both you and I be answerable to God, for the due execution of our Offices. That place is no place for you to utter your affections in, you must not there hate your foe nor loue your friend, feare the offence of the great partie or pity the miserie of the meaner ; yee must be blinde and not see distinctions of persons, handlesse, not to receiue bribes ; but keepe that iust temper and mid-course in all your proceedings, that like a iust ballance ye may neither sway to the right nor left hand."

lately preached round about you, at Lachford, at Goostrey, at Nether-Pever, and towards Hale, and Stopport (*sic*), & other places, even to the confrontinge of Authority and contempt of the Law.

And indeed I stand amazed to See all the People (as it were unanimously) so false to God, to the kinge, to the good of themselves and the countrey : for there is not a man that I can heare of as yet, that ever made knowne any of these preachers or their private meetings to any Justice of Peace in authority accordinge to their duty, to the end they might be punnished ; though there be hundreds that knew it.

There are also amonge us another sort of people disaffected to the booke of Common-prayer, which frequently stand without the Churches, till the Common Service be read : and then at the singinge of the Psalme, when the minister goeth into the Pulpit, then they come into the Church, and not before : the Statute of 1° Eliz. ca. 2, saith, that every man is to abide orderly in the Church, duringe the tyme of readinge Divine Service in the booke of Common-Prayer ; and such as stand without are to bee presented as absent from the Church.

I desire not to be tedious, but to come readily to your charge : where I must tell you, that the Publique Peace is of such benefit & concerne, that it preserves our Estates, lifes, liberties ; and what not and so much concernes the Crowne and regality of the Kinge, as they be both involved & wrapt up togather : the preservation of the one is the preservation of the other : So as all pleas of These Trespasses against the Peace, are by our Lawyers stiled The Pleas of the Crowne : and therefore all the endictments conclude—contra pacem Domini Regis, coronam et dignitatem suam : and it is held an essentiall part of the endictment, without which it is not good in Law.[1]

It is greate reason & necessity therefore, that all the disturbers of this Peace be brought to punnishment accordinge to our lawes by the due administration of Justice : you are then to present all offences against this peace, whether High-Traisons or Petty Traisons, all ffelonies, misprisions, whether of Traison or ffelony, Praemuniries, and all other offences whatsoever against the Publique Peace ; and now I conceive I have given you a sufficient charge already : The Particulars whereof, as you meete with any, you are to make knowne to us by vertue of your oath, and duly to consider of such bills as shall be brought unto you by others.

I shall now commend to your care more especially some few things wherein the present state of our county standes most in neede of redresse, and so will trouble you no further at this tyme. 1. The first is, the daungerous practises of our new enemies towards our Church and State ; and that by frequent Conventicles in every corner of our county ; ffor

[1] In fact breach of the King's peace had a very limited meaning in early times and pleas of the crown covered but little ground : see Pollock and Maitland, op. cit., II, pp. 451–6.

every separation into partyes of religion, is a rupture of the union and communion of our Church of England, which is the most Apostolick Church in the world: and therefore such are called Schismes, $\Sigma\chi\acute{\iota}\xi\omega$, signifyinge to cleave, cut, or rent: because by these, a part of the Church is as it were rent away: and these are of noe lesse danger to our State and Government: for every cuttinge into Partyes, is a Rupture or ffraction: and every ffraction tendeth to faction, because every man by nature is apt to uphold his owne way: and all ffractions tend to Conspiracies: and Conspiracies tend directly to Rebellions and Traisons: so the Cockatrices egge will turne to a serpent: reason and experience show it.

These new enemies are all seditious sectaryes, whether Quakers, Anabaptists, Independents, Presbyterians, or any others dissonant from the doctrine and discipline of the Church of England:

16 Car. 2, ca. 4. And this Act indeed doth include as well the meetinge of Papists as any sectary whatsoever and are punishable by it.

And therefore you are carefully to present all persons whomsoever, of the age of sixteene yeares or above, who shall be present in any Conventicle or meetinge (beinge ffive in number togather, or more) in order to exercise of Religion, in other manner then is allowed by our Liturgy established by Law: so that if they use our Common Prayer-booke in that order as is prescribed, their meetinge falles not within the compasse of the Statute: and here you see the stumblinge block of all Sectaries, Our Liturgy, which comprehendeth a uniformity; whereby their designe is plainely disunion, and to create divisions, & to shake of our Uniformity in the service of God:

And every person offendinge herein, and duly convicted, is to pay for his first offence 5 li, or 3 moneths imprisonment without bayle.

The second offence, six moneths imprisonment, or any summe not exceedinge 10 li.

The third offence after ⟨such former⟩ convictions, to be committed to the next Quarter Sessions & then endicted; where if he be found guilty, then to be transported beyond sea. 16 Car. 2, ca. 4, or pay 100 li.

And likewise in the Act intended against the Quakers, 14° Car. 2, ca. 1. Every person maintaininge that any oath (though before a lawfull Magistrate) is unlawfull & contrary to the word of God, or shall wilfully refuse to take an oath beinge lawfully tendered, or shall meete to the number of ffive or more, beinge sixteene yeares of age, the first offence 5 li or 3 moneths imprisonment:

14 Car. 2, ca. 1.

The second offence is 10 li, or six moneths imprisonment: for the third offence after two convictions, shall abiure the Realme. Yet if they submit after conviction, the Penalty to be remitted. 2. The next thinge I shall commend to your care, doth concerne our old enemies of Church and State, the Papists: These were they, against whom the ⟨many⟩ good Statutes of Queene Elizabeth were principally bent, and those of Kinge James: for then these kind of men were the most cruell vipers of our

State: witnesse that bloody plot of the Gunpowder Traison, never to be forgotten by us. *Anno 1605 3 Jacobi.*

But the Queene by the blessinge of God, and the assistance of those able Ministers of State about her, (and I beleeve noe Prince at that tyme had more able, wise, and faithfull statesmen about them, then her Ma^tie then had) prudently ruled the kingdome 44 yeares with honour and prosperity (*a*) maugre all her enemyes:

(*a*) *she perfected the reformation of religion: and by her sharpe lawes preserved the nation from Popery and superstition.*

And King James after her preserved it in peace 22 yeares: Some of the Queenes old statesmen fallinge in also with Kinge James: howbeit he himselfe stood for a whole counsell of whom Sir Ffrancis Bacon in his advancement of learninge saith, it is noe amplification but a Positive truth, that there was not since the tyme of Christ so learned a temporall kinge in all literature divine and humane, as this kinge.

But blessed be God, there are not many ⟨Popish⟩ recusants in this hundred of Bucklow ⟨now⟩ amonge us: I thinke there is not ten Papists therein, & those inferiour persons very inconsiderable: but in Wirrall hundred they abound more, and there are some Persons of greate Quality of that stampe: It is fit that the Old Lawes be put into execution against them: that they may be still diminished, or at least not encrease uppon us: In some of our neighbour-counties (it is sayd) that these have publique meetinges openly, & keepe seminary priests, even to the confrontinge of our Lawes; none puttinge the Lawes of the Papists there in execution: Let them take heede, that they cherish not a brood to fly in their owne ffaces. *Lancashire.*

The Lawes against Papists, or Popish Recusants, are these:

High Traison.

To procure any Bull from the Bishop of Rome or to put in use the same. *13^0 Eliz. ca. 2.*

To persuade any subiect of England to promise obedience to the see of Rome: and all such as doe promise & are with drawne to the Romish religion. *23^0 Eliz. ca. 1.*

Every seminary Priest found in any of his Ma^ties Dominions is a traytour, or returninge hither, without submittinge to the Lawes. *27 Eliz. 2.*

Ffelony.

To relieve, receive, or ayde any such seminary priest, knowinge him to be such, is ffelony without benefit of clergy. *27 Eliz. ca. 2, 2.*

Misprision of Trayson.

To conceale the offeringe of a Bull, & not to discover the same to some of the Privy Counsell within six weekes. *13^0 Eliz. ca. 2.*

To ayde any one endeavouringe to withdrawe the King's subiects to the Romish Religion, knowinge the same, and not revealinge it to some Justice of Peace within 20 dayes, is misprision of Traison. *23^0 Eliz. 1.*

Praemuniri.

5° Eliz. ca. 1. To refuse the Oath of Supremacy duly tendered, and endicted within a yeare after, is a Praemuniri.

The second offence is High-Traison.

5 Eliz. ca. 1. To maintaine the Authority of the See of Rome within this Realme, by writinge, speakinge, or preachinge ; and all Ayders & Abettors therein ; is a Praemuniri.

13 Eliz. ca. 2. To bringe into this Realme from the Bishop of Rome, any Agnus Dei, crosses, pictures, or beads ; and all that shall receive the same with intention to use them, is a Praemuniri.

13° Eliz. ca. 2. Any justice of Peace to whom such matters be declared, not signifyinge the same to some of the Privy Counsell within 14 dayes next after, incurres a Praemuniri.

13° Eliz. ca. 2. All ayders and maintainers of Procurers of the Pope's Bulls, and all such as put them in use, with intent to uphold the Jurisdiction of Rome.

27 Eliz. ca. 2. To convey a Jesuite or Seminary out of this Realme, or willingly to relieve and maintaine him here, or in any Colledge of the Jesuites beyond sea, is a Praemuniri.

Ffinable Misdemeanours.

23° Eliz. ca. 1. To say Masse, beinge thereof lawfully convicted, forfeits 200 marcks, and a yeares imprisonment.

Willingly to heare masse, forfeits 100 marcks, & a yeares imprisonment.

35° Eliz. ca. 2. Every Popish Recusant, convicted for not cominge to our Church to heare divine service, beinge above the age of 16 yeares, shall remove to his place of abode, and not stirre above five miles from thence, on payne to forfeit all his goods and chattells, & all his landes for his life.

3° Jac. ca. 5. Every Popish Recusant convicted for not cominge to our Church for three moneths, livinge in London, shall not come within ten miles of London, on paine of 100 li.

3° James ca. 4. Every Popish Recusant comminge to our Church, and shall not receave the Sacrament once a yeare in his Parish-Church, shall forfeit for the first yeare 20 li ; for the second yeare 40 li ; and for every yeare after for such not receivinge, 60 li.

23° Eliz. ca. 1. Every person above the age of 16 yeares, refusinge to come to our Church to heare divine service, shall for every moneths absence forfeit 20 li ; and for a whole yeares absence (after certificate made into the King's bench) shall be bound with ⟨two⟩ sureties in 200 li to the good behaviour, till he come to Church ; over & besides the sayd forfeitures :

3° Jac. ca. 4. gives liberty to the kinge to take two parts of the estate of every offender, not comminge to church as aforesayd, in three parts to bee divided, instede of the 20 li forfeiture for every moneth.

Hee that keepes a Schoole-maister, not repayringe to the Church nor allowed by the Bishop, forfeits 10 li for every moneth, that he keepes him: and such schoolemaister convicted, is disabled to teach, and shall suffer a yeare's imprisonment without baile. *23° Eliz. ca. 1.*

Every Constable shall once a yeare at the Quarter-Sessions present the monethly absence from the Church of all Popish Recusants and the names of all their children dwellinge with them above nine yeares old, and their age, and the names also of all their servants, to be registred by the clerke of the peace without any ffee. *3° Jac. ca. 4.*

Every constable for his reward herein shall have 40 shillings for every presentment, out of the Recusants goods, after conviction: Every constable in default of makinge such presentment forfeits 20 shillings: and the Clerke of the Peace forfeits 40 shillings, if he doe not record it.

No Popish Recusant convict shall exercise any Publique office in the State, and if he marry not accordinge to the church of England, he can claime no land by the curtesy of England: and if she be a Popish Recusant convict, and be so marryed, she shall loose her dower, & forfeit her part of that husbands goods: and if he have no landes by her, he shall forfeit 100 li. *3° Jac. ca. 5.*

Every Popish Recusant, which shall not have his child baptized by a lawfull minister within one moneth after its birth, shall for every such offence forfeit 100 li; one 3^{d} part to the kinge, another to the Informer, another 3^{d} part to the poore of the Parish. *3° Jac. ca. 5.*

Every Popish Recusant, sendinge his child to be educated beyond sea without the King's licence, forfeits 100 li, not beinge a merchant, prentice, ffactor, mariner, or souldier. *1 Jac. ca. 5.*

No Popish Recusant convict can present to any benefice; nor can be executor, administrator, or guardian.

Two justices of Peace may search the houses of every Popish Recusant convict, for Popish bookes and reliques: and may burne the bookes, but the reliques are to be defaced in open sessions and restored to the owner: *1 Jac. ca. 5.*

And fowre Justices of Peace in their Sessions may by their warrant seize all the armes and amunition found in possession of any Popish Recusant convict, except what they please to allow them for the defence of their persons & houses.

If such Papists conceale or refuse to deliver their armes, they shall forfeit the same, and be imprisoned for 3 moneths by any two Justices.

Every Popish Recusant, not havinge landes of ffreehold of the cleare yearely value of 13 li 6s. 8d., ⟨who⟩ shall not depart to the place of his abode or birth, or afterwards shall remove above five miles from the place of his abode, and shall not conforme himselfe within 3 moneths after he shall be taken so offendinge, beinge thereunto required, shall abiure the Realme.

35 Eliz. ca. 1.

Every seditious sectary in like manner beinge above the Age of 16 yeares, and obstinately refusinge to come to church to heare divine service established accordinge to our Lawes for the space of a moneth, or shall after be present willingly at any unlawfull assembly and conventicle under the Pretence of the exercise of Religion contrary to the Law: shall be imprisoned without bale till he conforme: and if he shall not within three moneths after his conviction make such ⟨open⟩ submission as is described in the Statute, beinge thereunto required by one Justice of Peace, he shall abiure the Realme.

Where note that Abiuration, which by the Common Law was founded uppon the Priviledge of Sanctuary, was wholy taken away, when Sanctuary was taken away; 21 Jac. ca. 28.

Yet abiuration of all Popish Recusants, and seditious Sectaries, founded on 35° Eliz. ca. 1, 2; remayneth still because such abiuration hath no dependence on Sanctuary: Cooke's Pleas of the Crowne: ca. 51, page 116.

3. The third thinge I commend to your Care is, the Provision for the impotent poore, and blind, and such as are not able to worke for themselves: The Statute of 43 Eliz. ca. 2 directs that; and 14 Car. 2. ca. 12 hath reduced it to the towneships to provide for their owne poore in these our northerne countyes:

Overseers of the poore in every Townshippe, not provydinge for their impotent poore, or not settinge the abler poore to worke by Provydinge a common stocke; or not takinge care to put out the children of poore people to be apprentices; every such overseer forfeits twenty shillings for every moneth of such his neglect: and are by you to be presented.

These overseers of the poore may make a taxation for the reliefe of their owne poore through the towneshippe: and in disability of any towne to keep their owne Poore, two Justices may taxe any parish within the Hundred towards the same and if neede require, the whole Hundred: and if the Hundred be not sufficient, the maior part of the Justices in the sessions may taxe the whole county, or so much thereof as they thinke fit. 43 Eliz. ca. 2.

The Law takes greate care for the reliefe of the Poore and intendeth none to be brought up in a Roguish life of begginge, but to live in some callinge which amongst us seeth not the absurd irregularity of the Government of the Poore in the City of Chester. They come in thronges, like swarms of bees, about every gentleman: that he can scarce take horse for them.

What honour would it be to us, if it could be truly sayd, that there were not a beggar to be seene in our County. The Statute intends it soe: And in Gods Israel, as he would alwayes have some poore amonge them whereon to exercise their charity, so he would have no beggar in Israel, so as to make a trade of begginge; as some understand the text of

Deuteronomy, ca. 15, ver. 4, for this were to enure them to a nurcery of all villany.

No nation hath better lawes then we have, either for the regular poore, or for punishment of the irregular Poore, if the same were duly executed : but the execution is very ill neglected.

It is a common sayinge of many about us, how can I turne a poore man from my dores begginge Almes, & not relieve him ? shall I bring him to the Constable to be whipt, rather than give him a morsell of bread, what charity is in this ? doth not God require us to cloath the naked, and to feede the hungry ? nothinge surer : but then we must remember withall, that as God accepteth not ⟨of⟩ almes nor of any other work without charity, so not of charity itselfe if without discretion.

None will disallow a regular Charity, if you will first relieve the poore of your owne towne as the Law requires, and (if your stocke will hold out) you may give a weekely pension, or what summe you please, to the Poore of any other towne which may stand in neede of your Charity : God will accept it, all good men will commend you for it. *1 Cor. ca. 13, ver. 3.*

But when our Lawes forbid you to entertayne beggars that make a trade of begginge, nay strictly uppon a Penalty of ten shillings command you to bringe every wandringe beggar, begginge at your gate, to the Constable that so he may be whipt for his offence : ffor that our Law prescribed how every Poore shall be maintained in their owne towne : and that neither our Law, or Gods Law, would have any man nourished or brought up in a Roguish life, but to be employed in some worke or ⟨honest⟩ callinge : which Law if you disobey, you sinne : for sin is the transgression of the Law, and why should you make yourselves wiser than a Parliament, and disobey Authority, besides the due punishment you incurre not for observinge the Law ? Certainly this is Charity mistaken : ffor true charity can breake no Rule of Law wilfully, and must alwayes intend the good of another as well as of himselfe ; and if you relieve these idle persons contrary to Law, by breedinge them ⟨up⟩ in that trade of begginge, these persons not beinge enured to worke must needes fall to pilferinge and stealinge when they want : and so you helpe by your charity to breede them up for the Gallowes ; contrary to right charity and good order.

It was resolved by the Judges of our land in the raigne of Queene Elizabeth, Resol. 15 in Lamberts Eirenarcha, that none ought to seeke reliefe at any man's dore, though within his owne parish, without the consent of the overseers of the poore & by their order.

Every towne is now a Parish in that sence, 14° Car. 2, ca. 12 : And none now ought to begge in their owne towne, but by Order of the Overseers of the Poore : If he begge out of his towne, he is now a vagrant and wandringe beggar, as hee who comes out of another county to begge, and is within the compasse of the Statute of Rogues 39° Eliz. ca. 4.

4. And this bringes me to the 4th and last thinge, which at present I shall chiefely commend to your care, and so I have done: that is, the care of punnishinge all idle wandringe beggars and sturdy rogues accordinge to the Statute of 39° Eliz. ca. 4, which abound in our county:

These are the very scabs and vermine of a state: Plato (then whom never any ⟨man⟩ layd a more exact Idea of a happy Commonwealth) allowes no beggar in it. πτωχὸς νηδεις ἡμινὲν τῆ πόλει γιγνὲθα in his book de Legibus: for (saith hee) where these are tolerated, it is impossible but the State must abound with all manner of pilferinge, leudnes and villany.

And we also finde by experience, that such idle loose persons are apt to fly into any Insurrection or desperate designe for a little money.

The Civill Law hath flat constitutions against them: which the late learned Bishop of Lincolne in his 4th sermon ad Populum observeth, and coateth as well Codex Justinianus, as Codex Theodosianus, for the same de mendicantibus non invalidis: And never had any nation better lawes for the restraint of disorderly beggars, nor for the reliefe of the Orderly Poore, then ours hath.

It is more charity to whip a sturdy idle beggar, then to relieve him: and say I this of my selfe, or from the Apostle; he that will not labour, let him not eate: but lawes are no lawes, for want of due execution: yet beggars are beggars still, for want of due correction:

(*a*) *William Lilly of London in our day an Astrologer; 1668.*

Tacitus Lib. 1° Histor. observes that there were certaine mathematicians in Rome, a kind of Lillyes (*a*), mathematicorum genus hominum, potentibus infidum, sperantibus fallax, quod in civitate nostra semper vetabitur, semper retinebitur: the sayinge is much truer of our Rogues and Gypsies in England, then of the Mathematicians anciently in Rome: where he concludes—you to whom the care of the preservation of Justice and thereby also the peace of the land is committed, as you tender your owne quiet & the safety of your neighbours, as you tender the weale of your countrey and the honour of God, breathe fresh life into these languishinge lawes by due execution: Be rather Cruell to these Vipers, then to the State: so will you ffree the countrey from the Plague, your selfes from the guilt, and them from the opportunities of infinite sinfull abominations. Thus the learned Saunderson, one of the Deepest & clearest streames of learninge, which this later Age hath produced.

Let us now see, whether you bee not involved with the Justices to put these Lawes in execution: The Constables through the whole county are generally faulty in their duties herein: By your informations and presentments we come to ⟨know⟩ these irregularities of the particular officers offendinge in their dutyes: which if you bee carefull to present, I hope we shall be carefull to execute their punnishment accordinge to the Law; and indeed I find it necessary that we inflict an exemplary punnishment on some offenders, to minde them and the rest the better

of their care in their office. It is part of their Oath, which they sweare to execute duly, to apprehend all idle wanderers and begginge Rogues: how this is performed Judge you.

I shall now reade unto you some particulars of the Statute of 39° Eliz. ca. 4 & 1° Jac. ca. 7, that every man may the better understand who are construed to be rogues by the Statute, and the punnishment of ⟨all⟩ such as neglect to apprehend them: and so I shall at this tyme dismisse you.

Who are to be adiudged Rogues by the Statute 39° Eliz. ca. 4.

1. All scholars goinge about begginge.

2. Seafaringe men pretendinge losses by sea, & goinge about begginge (except he have a testimoniall uppon his landinge to passe, 39 Eliz. ca. 17).

3. All idle Persons goinge up & downe in any county, either begginge, or usinge any unlawfull games, or faininge to have any skill in Physiogonomy, Palmestry, or tellinge of fortunes.

4. All pretenders to be Proctours, Procurers, Patent-Gatherers, or Collectours for Gaoles or Hospitalls.

5. All ffencers, beare-wards, and common players of enterludes, (except players belonginge to some Baron of this Realme, and licensed under the hande & seale of such Baron) which wander abroad.

that exception of Players belonginge to some baron, was taken of 1° Jac. ca. 7 & now are to be taken for Rogues, if they wander abroad.

6. All minstrells wandringe abroad, except those authorized by the heires of Dutton of Dutton accordinge to their ancient custome within the County Palatine of Chester, & the City of Chester.[1]

7. All Juglers, Tinkers, Pedlars, & petty chapmen wandringe abroad.

8. All wandringe persons, & common labourers, beinge able of body and yet refuse to worke for such wages as is appointed by the Justices, not havinge anythinge to live uppon otherwaies.

9. All persons delivered out of Gaoles, that begge for their ffees, or travell begginge.

10. All such who wander abroad begginge, pretendinge losses by ffire or otherwise.

11. All such, not beinge ffelons, who pretend to be Egyptians, or wander in the habit of counterfeit Egyptians:

so farre the Stat. of 39 Eliz. ca. 4.

12. All Glassemen wandringe abroad to sell glasses: 1° Jac. 7. All these or any of them, beinge taken begginge or wandringe, are to be whipt by the constable where they are taken, and sent backe to the place of their last settlement by a testimoniall under the hand ⟨& seale⟩ of one Justice & the Constable.

Every person not apprehendinge such rogue begginge at his dore, and

[1] For this custom see G. Ormerod, *History of Cheshire* (London, 1882), vol. I, p. 36.

carryinge him to the Constable, forfeits 10 shillings. 1 Jac. ca. 7. Every Constable punnishinge a rogue ⟨so brought⟩ accordinge to 39° Eliz. ca. 4, forfeits 20 shillings. 1° Jac. ca. 7 & for not apprehendinge a rogue 10s. 39° Eliz.

Every person rescuinge a Rogue from the Constable forfeits 5 li, and shall be bound to the good behaviour. 39 Eliz. ca. 4.

Two Justices (whereof one of the Quorum) may determine all causes and levy all the forfeitures touchinge Rogues: 39° Eliz. ca. 4. Any Rogue, whom the Justices in sessions shall judge incorrigible or dangerous, is to be branded on his left shoulder in open sessions, with a hot iron of the breadth of a shillinge havinge a Roman R thereon, which letter R must be imprinted on the shoulder, and then sent to his last dwellinge, or place of birth: and if he offend againe in begginge and wanderinge, it is ffelony without benefit of Clergy. 1° Jac. ca. 7.

One runninge away, and leavinge a Charge to the Parish, is an incorrigible Rogue 7° Jac. ca. 4.

Justices of Peace are to meete twice a yeare, or oftener if need bee, in their severall Divisions, for the executinge of the Statute against wandringe Rogues: and to command the Constables to make a generall ⟨privy⟩ search by night for findinge & apprehendinge of Rogues that such may be punnished, or sent to the house of correction. 7° Jac. ca. 4.

And the Constables must give an account in writinge uppon Oath, what Rogues they have apprehended, both in the same search and betweene every meetinge, and how many have beene punnished or sent to the house of correction: and for default hereof of every Constable may be fined, any summe under 40 shillings. 7° Jac. ca. 4.

Dangerous Rogues are to be banished, or condemned to the Gallyes, by the Justices in their Quarter-Sessions. 39° Eliz. ca. 4. Every person apprehendinge a vagrant Rogue shall have 2$^{sh.}$ allowed him for every Rogue soe apprehended and brought before any one Justice: which the same Justice hath power under hand & seale to require to bee payd by the Constable of that Towne through which such Rogue or wandringe beggar passed unapprehended: And if the Constable refuse to pay it, he shall then be proceeded against for the penalty of 1° Jac. ca. 7 (that is, 20 shillings; to be levyed by any two Justices accordinge to the power given by 39° Eliz. ca. 4): 14° Car. 2, ca. 12.

Liberty is given to Constables to make rates for conveyinge of Rogues to the house of correction, or conveyinge them by passes; to be levyed by distresse under the handes & seales of Two Justices. 14° Car. 2, ca. 12.

And so Gentlemen, I haue done: desiringe your care in presentinge of these, and all other offences, to the faithfull discharge of your duty, and oath.

At the Quarter Sessions at Northwich, Aprill 19th, 1670, by mee P.L.

I. To rule, and to be ruled, are not onely to be reckoned amonge such thinges which are necessary, but also amonge those thinges which be profitable : *οὐ δὲ μόνον τῶν ἀναγκαίων, ἀλλα καὶ τῶν συμφερὸντων ἐιρι :* so saith the prince of Philosophers in his Politickes : ffor Good Government conduceth to the Peace, Safety, Order and Welfare of a Kingdome or People, and this government chiefely consists in the preservinge of the Lawes inviolable by the due administration of Justice : and is ever most excellent, where all the people yield ready obedience to the commands of Authority : Good Government then is the support of a kingdome ; Good lawes the support of government ; Good execution the support of the Law. *Aristotle, Lib. 1°, Polit., ca. 5.*

Nature first devised a Kinge : Natura commenta est regem : quod et ex aliis animalibus licet cognoscere, et ex apibus : Seneca Lib. 1° de Clementia, ca. 19 : indeed Nature abhorres confusion, and every thinge by nature seekes its owne preservation : and these two thinges seeme to be the chiefe end of Government : wherefore Government seemes to be the Dictate of Nature : and God hath so ordained, that some persons are more apt to rule, and others to be ruled : as the male is more apt to rule, then the ffemale ; unles by chance it sometimes happen otherwaies against nature : and we see by dayly experience, that there is a subiection and obedience due from the wife to her husband, from the sonne to his ffather, and this by Instinct of nature it selfe. *θεμις, ένει, δε ἔκαζος παίδων ἠ οὐ ἀλόχων : ου οὐ ἀλλήλων ἀλὲγουσι* saith Homer in his Odysses. lib. *ιῶτα*, lin. 115, speakinge of the Ancient Cyclopes, and their manner of livinge in the beginninge, while as yet were no publique lawes. *Aristoteles. Lib. 1., Polit., ca. 12.*

Each rules over's wife and children ; but none at all takes care of other in the Generall.

II. Now whosoever will more diligently examine the beginninge of thinges, saith learned Sanderson late Bishop of Lincolne Praelec., 7, pag. 271, he will find that nations did not originally springe up into kingdomes and common-wealths by the mutual consent of the People : ffor in the beginninge, all Rule and Government remayned for some tyme amonge the Posterity of Noah within the bounds of Paternall or Democraticall Governments, names unheard of in those primitive ages through the whole earth, and were first introduced in Grecia, a people full of levity, by the ambition and fury of some who affected novelty and change.

In which first Ages all Rule consisted in the heads of ffamilyes : And in them the first borne by succession, without any suffrages or election, as it were by a certaine right of nature was esteemed as Prince of his whole kinred, both in sacred and civill matters : who chastized offenders

at pleasure, first with moderate punnishments, afterwards (as ffamilyes encreased) with greater punnishments: till at last the multitude of men encreasinge togather with disorders and vices, there was a necessity of introducinge capitall punnishments.

And from these beginnings by encrease of families did all the kingdomes of the earth springe up by little and little: and in processe of tyme Paternall Authority grew up into the name and power of Kinge: at first perhaps but of one small city with the hamlets and villages adiacent and unto belonginge: for in the 12th Chapter of Joshuah, we reade that he subdued thirty and one Kings in that small region of Canaan, about 840 yeares after Noah's flood: and yet it seemes he left as many more in Canaan unfought with: for not longe after Joshuah's death, we find that Adoni-Berek was taken: who had used cruelty towards 70 kinges there, whom he had before conquered. Judges, chap. 1, ver. 6, 7.

And hitherto certo certius est It is most certaine, that there were no votes of the People in constitutinge of Kinges, as the learned Bishop most truly hath observed *ὁπερ ἔδει δεῖξαι.*

III. Paternall Authority was then certainly the first government: and Paternall government is monarchicall, saith the Philosopher: *ἡ δὲ οἰκονομικὴ, μοναρχία,* Aristotle, Lib. 1, Econ. ca. 1. And Kingly government, springinge up out of Paternall Authority by an unperceived enlargement, must be also monarchicall: ffor as the Government of a ffamily is a certaine Kingly Authority over a house; so Kingly Authority over a City, or nation, is as the Authority over a ffamily. Aris. lib. 3° Polit., ca. 14.

Now as Monarchy is the most naturall forme of Government, so is it the most perfect and best forme of Government of all other kindes of Government: farre above either Aristocracy, or Democracy: and so it hath beene esteemed and adiudged by the wisest men in all Ages. The old Poet could observe in the speech of Vlysses—

οὐκ ἀγ αθον πολυκοιρανίη: εἷς κοίρανος ἔδω,
εἷς βασιλεὺς: ὧ ἔδωκε, κρόνου πᾶις αγκυλομήτεω
σκῆ πτρον τ' ἠδὲ θὲμιδας: ἵνα σφὶσιν βασιλεὺή:

Homer's Iliad, Lib. 2, linea 204. In English thus—but one chiefe Governour, one Kinge: whose Maiesty, Scepter, and lawes, greate Jove wise Saturne's sonne hath ratify'd with full Dominion.

These Poems of Homer is the first and most ancient booke extant amonge the Grecians, saith Josephus lib. 1°, Contra Apionem.

Againe, Kingly Government is the most ancient forme of all Publique Governments: Justine the historian (who flourished about 140 yeares after Christ) begins his history thus—Principio rerum, gentium nationumque Imperium penes Reges erant: and by and by addeth, Arbitria Principum pro legibus erant: In the beginninge, the Rule of Nations was in the power of Kinges: and the Wills of Princes stood for lawes.

And before him, Cicero (who flourished about 80 yeares before Christ, and about whose tyme, saith Marcus Seneca, lib. 1º Controversiarum, flourished all the eloquence of Rome which might either oppose or seeme to exceede proud Greece it selfe) tells us, Omnes antiqeae gentes regibus paruerunt: All ancient nations did heretofore obey kinges. Lib. 3º de Legibus ad initium.

And before them both, Aristotle (who flourished about 340 yeares before Christ) doth testify *τὸπρῶτον ἐβασι = λεύοντο αἱ πόλεις*; those cityes which were free in his tyme, he meaneth the cityes of Grecia & others who followed their example, were at first governed by Kinges. Lib. 1º, Polit., ca. 2, & before this, you know where it is sayd, make us a kinge to Judge us like all the nations: 1. Sam. 8, 5.

We see then Monarchy and Kingly Government was the most ancient and first forme of Government, the best and most naturall way of Government. *ὅπερ ἐδει δεῖ ξαι.*

IIII. But when the immoderate desires of ambitious men broke in first uppon the ancient fforme of Government, I meane uppon lawfull succession of the next heyre, and grew so irregular as that they would rather pull downe all Government, then yeild obedience to any; I say it was done by some of these three wayes

1. Either by open force of armes.
2. or by secret ffraud.
3. or by ffree election of the People.

The two first wayes none can thinke iust or equitable: that is to say either by force of Armes, or by secret ffraud and Treachery, to invade and take away the right of another. Nor can any such fact create a legitimate power of the People in conferringe a Power over Soveraigne Princes: for to argue a facto ad ius was ever held a weake argumentation.

There remaines then onely the third way, the free election of the People, which hath any shew of Popular right in makinge of Kinges: but in this neither is it to be granted, that the Power of the elected Kinge doth depend uppon the People: for it is one thinge to constitute a Power, and another thinge to elect a person to execute that Power: now all ⟨lawfull⟩ authoritie and power of rule, is from God: to whom ⟨onely⟩ the Prince is accountable, and not to the people: for these are to yeild obedience: and the Kinge is God's officer, *Διάκονὸς . . . Θεοῦ* Rom. 13, 4. A metaphore taken from a servant employed by his maister to execute the place wherein hee is entrusted: not the People's Officer: to whom the People must needes be subiect not onely in regard of wrath, but also in regard of Conscience, ver. 5, because God hath so ordained the Power of Kinges, as the Apostle argued before: for they are not to be subiect onely for feare of Punnishment, though the King's wrath is terrible like the roaringe of a lion: but likewise for conscience sake, because God hath so ordained, & placed them in that condition of subiection. *Rom. 13, 1.* *Prov. 20, 2.*

Homer in his Iliad, lib. 2, spyed out so much divinity. *Θυμὸς δὲ ἐρι μεγὰς μὲν Διοτρέ Θέος τιμὴ δ' ἐκ Διός ἐρὶ : Θιλεῖ δὲ ὲ βασιλῆος : μητιετα Ζευς.* Kings are Joves darlings : the anger of a Kinge is mighty for from Jove ⟨their⟩ powers springe.[1]

If the Power of Kings came from the People, who sayd Solomon Ecclesiastes 8 ver. 4, where the word of a kinge is, there is power ; and who may say unto him, what doest thou. Sure if the people give him power, they might checke his Actions : and if hee have no Power, hee is no kinge : for where the word of a Kinge is, there is power.

Againe, though the People elect a kinge, yet they doe not conferre his Authority : The fellowes of a Colledge may haue right to choose a new President in a vacancy, but beinge so elected he hath the right of the government of that Colledge in himselfe by the Will of the ffounder : he hath not his authority from the ffelowes who elected him : In a word where the election of a Prince is receaved from the People, there they may nominate the Person, but the Authority of Rulinge is from God :

The power of Rule not in the People.

Now the People cannot have any power of rule, for these two reasons especially.

1. Because nothinge can both governe, and be governed, at the same tyme and in the same respect ; simul et semel as the Schooles Speake : for that were to governe & not to governe, simul et semel : which is against the rule of Contradictories, whereof onely one part can bee true of necessity, as every Sophister in Logicke knowes : now the People are to be Governed, and therefore can have no Power of Governinge in them : hence in Scripture the prince is stiled the Ruler of the People. Exod. 22, ver. 28, where the people are put contradistinct from the Ruler : for they are to be ruled & have no power to rule in them at all : for if they were the supreme power they could not be punnished, if they offended : for there would be none above them.

Acts 23, 5.

2. Nothinge can give that, which it hath not : now the People havinge no such power in them, they cannot transferre it to another : for if all the People of a nation collectively have such a power, then they might Rule : for frustrata est potentia, quae non est reducibilis in Actum, and if they may all rule, who must then be ruled, for in all Governments there must be some to rule, and others to be ruled : but if all were Rulers, it would destroy the nature of Governments : and would indeed be a direct Anarchy and Confusion : and if all cannot haue such a Power, much lesse any part of them ; wherefore since the People haue no such power of rule in them, they cannot transferre any such power to another.

an obiection

there is one obiection out of Scripture commonly urged for the Power

[1] Cf. the speech made by James I in Parliament, 1609 : " The State of Monarchie is the supremest thing upon earth : For Kings are not onely Gods Lieutenants upon earth, and sit upon Gods throne, but even by himselfe they are called Gods." C. H. McIlwain, *The Political Works of James I*, p. 307.

of the People, whereunto I desire liberty of a word or two: that is, 1 Kings, ca. 12, ver. 1, all Israel came to Sichem to make Roboam Kinge, also 2 Kings ca. 11, ver. 12 and Jehoiadah the Priest brought out the Kings sonne, and crowned him, and gave him the witnesse (*a*) & ⟨they⟩ made him kinge, and anointed him:

(*a*) *Deut. 17. ver. 18. i) the booke of the Law. the Jewes Bible Exod. 25, 16. The Tables of the Law.*

If the people make him kinge, then ⟨was⟩ he not kinge without their makinge, then he hath his kingship from them and the Power of Rule beinge inherens in the kingship must by consequence come from them: quod efficit tale, est magis tale.

But this argument uppon due examination will not be found weighty; how specious it may appeare at the first view: ffor by the Peoples makinge of him Kinge, in those places of Scripture, can be rightly understood no more then the Peoples Acclamations of Joy, and consent, in declaringe Joash Kinge with the due Ceremonies of a Coronation: for if we reade 2 Chron. ca. 23, ver. 3, speakinge of this very act of Coronation, it is sayd—behold the King's sonne must raigne, as the lord hath sayd of the sonnes of David, so that the Kings of Judah were ⟨then⟩ Kings by succession, by Gods appointment. And where the People did choose any other then the right heire, it is called a Rebellion: 2 Chron. ca. 21, ver. 8. In the dayes of Jehoram Edom rebelled from under the hand of Judah and made a Kinge over them: so that by the makinge of him Kinge here is no more then the declaringe of him to be Kinge with their full consent: whereunto yet he had a right by succession.

The Answer.

but as to the Argument, supposinge it a Plenary free Election, they could make him Kinge: that is to consent, that he should be Kinge: and though he could not be Kinge without their consent, yet his Authority of Rulinge is not from them but from God, Rom. 13, 1, and therefore we must distinguish of the word kingship: which may either signify the Title and name of Kinge, or the Authority of the Office and Rule belonginge to the Kinge: The name and title of Kinge may be receaved from the People: but the Authority of Rule incident to the Office of Kinge cannot be receaved from the People; for they have nothinge to doe with that: it is not theirs to grant, as the inhabitants of a Towne may choose a Constable, but the Power of his office, ⟨the Authority of a Constable⟩ is not from those inhabitants, but from the Lawe: Yet though the Constable is punnished for neglect of his duty, because his Power is a subordinate Power; yet the Kinge is answerable to none but God for his Actions, because he hath no Superior on earth: and hee is onely subordinate to Heaven: ffor he is stiled God's Officer: Rom. 13, 4.

and then for the axiome, quod effecit tale, est magis tale: It failes in Causis non sufficientibus per se, as the Logicians rightly informe us: but here in truth non efficit tale, for the People do not make the Authority, though they elect the Person: and they do not properly make a Kinge: and so are not Causa Sufficiens per se: as a maister though he make a

learned schollar, is not alwayes more learned then his Schollar: for sometimes the schollar by his good parts & industry becomes at last more learned then his maister: so also the People make a Kinge, ergo they are more Kinge: here the Causes are insufficient by themselves: and then the axiome failes.

But suppose we that the People had such a Power ⟨of Rule⟩ in elective Kingdomes, which certainly they cannot have, as is proved before; yet after they have once given it away, they cannot assume it againe: both reason and law tells us. A donation absolutely made without any condition interposed, cannot be revoked de iure, as the learned Saunderson well observes—for the right, which before the election was in the Electours, after the election passeth into the Persons elected: so the seaven Princes Electors of Germany may choose an Emperour, but not remove him after he is elected: The ffreeholders of a county may choose a Knight of the Parliament, but not recall him after he is duly elected.

V. But let us now looke uppon successive Kingdomes a little, and in particular uppon this England.

England a successive, hereditarie kingdome.

Every English man knowes, that the Crowne of England ought to descend to the eldest sonne of the Kinge by right of succession and so hath for many Ages by ancient right descended to the next heire of the blood, save where Rebellion by force of Armes hath interrupted the Course for some small tyme.

It was not unfitly said by him, who styled the Kinge of England the Kinge of Devills rather then of men: for scarcely shall we reade of any kinge of England since the Conquest, who hath not met with some attempts of rebellion, occasioned for the most part by the discontents of some ambitious Greate men, who by deceivinge of the People have many tymes drawne in a greate party. Witnesse the Barons warre, the barbarous murthers of Edward the second and Richard the second: This last was forced to unkinge himselfe, by readinge his owne Resignation of his Crowne, and givinge it to Henry Duke of Lancaster, before the States ⟨of England⟩ in the Tower of London: witness also the late murther of Kinge Charles the first of blessed memory: monstrum horrendum ingens! To omit many others, I am ashamed to speake what Ignominy these actings have brought uppon our nation to the scandall of Christian Religion by such abominable villanyes committed against the Sacred persons of our Kinges, contrary to the Law of God, and the Lawes of this Kingdome.

England a Monarchy.

Againe, the Crowne of England is monarchicall: *μοναρχια δὲ ἐρὶ, κατὰ τὸ ὄνομα, ἐνῆ εἶς ἁπαντων κυριὸς ἐρὶ* ; Aristot. Lib. 1°, Rhet. ca. 8. A Monarchy (accordinge to its name) is when one is supreme Lord over all: wherefore those that talke of a mixt monarchy speake nonsense: for it is all one, as if they should say, the Supreme Power is one, and not in one, simul et semel.

Now the supreme Power inherent in the Kinges of England appeares by the fundamentall Lawes of our Kingdome, by their Titles, and by their Prerogatives.

1. By the ffundamentall Lawes: Crimen laesae maiestatis by our Common Law is nothinge else but the Crime of High Traison against the Kinge: ⟨for⟩ the violation or diminution of the Supreme Power stiled Maiesty is onely that which makes High-Traison: which by the Statute of 25° Edw. 3ii is declared to be done these ffive wayes, 1 in compassinge or imagininge the death of the Kinge, Queene, or Prince: 2. By violatinge the Queene, the King's eldest daughter unmarried, or the wife of the Prince. 3. By levyinge warre against the Kinge in his Realme, or adheringe to his enemies in the Realme or without, and declaringe the same by some open deed. 4. By counterfeitinge the Kings Greate Seal, his Privy Seale, or his coyne; or bringinge in false money, counterfeit to the money of England. 5ly and lastly, by killinge of his Maties Judges sittinge in execution of their offices: for these represent the King's Person, & sit by his Authority: all which are badges of his supreme power. *By the Lawes.*

Also by the Statute of 25° Hen. 8, ca. 22, et 28° Hen. 8, ca. 7. The Crowne of England is declared to be an Imperiall Crowne.

And by the Oath of Supremacy 1° Eliz. ca. 1. It is declared, that the Kinge is the onely Supreme Governour of this Realme.

2. Againe it appeares by the King's Titles. It is observed by learned Cambden the Greate Antiquary, in his Remaines put out by Philpot 1636 pag. 156, that the Title of Grace began about Henry the 4th tyme: Excellent Grace, under Henry 6th: High and mighty Prince, under Edward 4th and Maiesty (which first began to be attributed to the Romane Emperours about the tyme of Gallien, who lived 260 yeares after Christ) came hither in the tyme of Henry 8th; as sacred Maiesty under Queene Elizabeth.

But if we more strictly examine the matter, we shall find Royall Maiesty attributed to the Kinge in the Statute of 2° Hen. 4, ca. 15: and before that, in the Statute of Traison 25° Edw. 3ii and longe before either, we find crimen laesae maiestatis in Glanvill lib: 1° ca. 2, who was made Chiefe Justice of England anno 1180, 26° Hen. 2. Hoveden pag. 600: he was the first who reduced the forme of our lawe into writinge.

howbeit possibly the Title of Maiesty was more frequently used under Henry the 8th: for I find it much used, and sometimes Royall-Maiesty and Excellent Maiesty, through the many Statutes of that King's raigne.

But by all these Titles, though in severall wordes, the same thinge is couched and signified: namely, the Supreme Power residinge in the Royall Person of the Kinge:

and Maiesty includes Supreme Authority: for Crimen læsæ Maiestatis is the Crime of Supreme Authority violated, couched here in the word Maiesty: which is that, which makes High-Traison: and at this day with

us in England the Title Maiesty is onely applicable to the Kinge and to noe other: as when we say, His maiesties Judges, his Ma^tles Proclamation, & the like: It is onely and alwayes understood of the Kinge, like Proprium in quarto modo, Convenit omni, soli, et semper.

Now the adiuncts in Latine formerly given to the Kinges of England, when they were spoken or written unto, were Gloriosus,* Gloriosissimus, Præcellentissimus, invictissimus, serenissimus: (*a*) and in English, Our Soveraigne Lord the Kinge, and sometimes Dread Soveraigne: (Soveraigne) in ffrench, signifyes one that hath no Superiour: And this Appellation of Soveraigne I finde in the Statutes of 7° Edw. 1 and 13 Edw. 1: and so downewards through the whole booke of the Statutes:

In this our Age, such as are dayly about his Maiesties Person use onely the Title of (Sir), or your Maiesty, in common Discourse: yet in Publique writinges, and set formes of Speakinge, most dread Soveraigne, sacred Maiesty, or most Royall Maiesty, are frequently used.

The Title of (the Defender of the ffaith) was anciently used by the Kinges of England, as appeares by severall charters granted to the University of Oxford, saith Chamberlaine in his present State of England, pag. 107, but more particularly it was given to Kinge Hen. 8^th by Pope Leo the Tenth, anno 1521, in congratulation of a booke written by that Kinge against Luther: see the Charter at large in the History of Hen. 8th by the Lord Herbert, pag. 95, which Title hath beene constantly used ever since by his successors.[1]

The same Hen. 8^th had also the Title of (Supreme Head in Earth of the Church of England) annexed to his Imperiall Crowne of the Realme, by Statute 26° Hen. 8, ca. 1, 1534: but that Title was left of by Q. Elizabeth and changed into (Supreme Governour).

And by the 55^th canon of our Canons Ecclesiasticall, (*a*) All Preachers are to pray in these words—viz.^t for the King's most excellent Maiesty, our Soveraigne Lord, Kinge of England, Scotland, ffrance and Jerland, Defender of the faith, and Supreme Governour in these his Realmes, and all other his Dominions and Countreyes, over all Persons, and in all Causes as well Ecclesiasticall as Temporall.

3^dly it appeares also by the King's Prerogatives: ffor the Kinges of England have certaine Iura Maiestatis, fflowers of the Crowne commonly called Prerogatives: some whereof the Kinge holdeth by the Law of Nations, some by the Common-Lawe, and some by Statute-Lawe.

To enumerate some of them.

1. The Kinge onely, and alone, hath power (without Act of Parliament) to declare warre, make peace, send and receive embassadours, make leagues and treaties with forraine Princes or States, give Com-

[1] Edward Lord Herbert of Cherbury, *The Life and Raigne of King Henry the Eighth* (London, 1649).

** given to Edwin Kinge of Northum' about 620 Bede Hist. Ang. lib. 2, c. 10. (a) and sometimes augustissimus a coyned word from Augustus Cæsar: as Cæsarea Maiestas, from the Caesars or Roman kings.*

See Wake's Rex Platonicus pag. 85. see Hall's table in his Kings Bishops & Earles of England

(a) established 1603.

By the King's Prerogatives.

missions for levyinge men and armes, by sea or lande, and for pressinge men if neede require, and to dispose of all magazines, amunition, castells, forts, havens, ships of warre, within his Dominions. By the Statute 12° Car. 2, ca. 6 It is declared that the sole Supreme Government of the Militia within all his Maiestie's realmes and dominions is, and by the lawes of the land ever was, the undoubted right of his Maiesty and his Royall Predecessors Kinges of England, and indeed this was it, that was the Cause of the warre betweene the late Kinge and his Parliament: we have the word of a dyinge kinge for it, in his speech on the scaffold; The Parliament (saith hee) did acknowledge the Militia to be myne, but they thought it fit to have it from mee: and he carryed it bravely, not to be frighted into an unhansome Action: yet though he would not give his right away, they seized his Person by fforce, and put him to death, and usurped his Power: like the Husbandmen of the Vineyard in the Gospell, Matthew, ca. 21, ver. 38; come, this is the heyre; let us kill him, and take his inheritance; here was brave doings. *The militia.*

2. The Kinge onely, and no other without his Authority, may by his Prerogative Royall at his pleasure summon, adiourne, prorogue, remove and dissolve any Parliament: and without rendringe any reason may refuse to give his assent to any Bill. Cooke uppon Littleton fol. 110a. The Kinge is Caput, Principium, et finis Parliamenti. Cookes Jurisdiction of Courts, pa. 3. So that the King's Will and consent is the sole and adequate efficient cause of all our Publique Lawes: The Bills Preparatory of both houses are revera but Petitions in Order to a Law, and nothinge effectuall without the King's consent. *Summoninge & dissolvinge Parliaments.*

3. The Kinge is ffons honoris et Justitiæ: In whom is the Sole Power of Conferringe all Honours of the Higher or lower Nobility within his Dominions: All writs of Justice run in his name: and hath the sole choyce of all Officers of State, Privy-Counsellors, Judges, Justices of Peace and Magistrates; and of all Bishops & other high dignities of the Church. *ffons honoris et Justitiæ*

4. The Kinge is summus regni custos, The Chiefe Lord Keeper of the Realme: and hath the custody of the Persons and Estates of such as cannot governe themselves; as in case of Ideots and Lunatickes: of Ideots, to his owne use: of Lunatickes, To the use of the next heire. *summus regni custos ultimus regni hæres.*

5. The Kinge is also ultimus heres regni: as the Greate Ocean receives all the rivers, so he is the receptacle of all Estates, when no heire appeares, and in case also of forfeitures.

6. The Kinge by his Letters Patents may erect new counties, cities, boroughs, universities, Bishopricks, colledges, hospitalls, schooles, ffairs, markets, courts of Justice, fforests, chases, ffree, warrens, and the like. *counties etc.*

7. The Kinge may grant pardons to men condemned by Law: and may grant speciall Priviledges & charters of immunity to any of his subiects, as freedome of Toll and other ffranchises: He may dispence with some Statutes by non-obstante, Cooke's pleas of the Crowne. ca. 20. *Pardons.*

Coyninge of money.

8. The Kinge onely hath power to stampe money, appoint the metall, weight, purity, and value thereof. And by his Proclamation, to make any forreine coyne, to be lawfull money of England.

9. The kinge hath also another fflower of the Crowne, which hath precedence before all Lawes & customes of England ; viz^t^ that all customes are voyd in lawe, quæ exultant se in Prerogativam Regis ;

10. In doubtfull cases semper presumitur pro *Rege* : ⟨and⟩ no occupancy shall bee good against the Kinge, nor shall entry before him be preiudice to him.

Debts due to the Kinge are first to be satisfyed in case of executor-ship or administrator-ship.

None but the Kinge can give Patents to receive the Charitable benevolences of the People in case of losses by ffire or at sea ; without which none may aske it publiquely.

No proclamation can be made, but by the Kinge.

The Kinge by his Prerogative hath power to enfranchize an alien, and to make him a denizen.

These with many others our Lawyers will tell us are fflowers inherent in the Crowne of England : so then it is manifest unles a man will wilfully shut his eyes, that the Crowne of England is hereditary, an Imperiall Crowne Monarchicall, havinge the Supreme Power of Rule in it selfe onely : *ὅπερ ἔδει δεῖξαν.*

Where is now the coordination, broached by some obscure imposter in the late warre to flatter the nefarious councells of certaine men, who in a booke published for that Purpose (without owninge his name) found out a coordinate power of the People : A strange fiction, & wild Philosophy ! that the Kinge, beinge Supreme and havinge no equall, is notwithstandinge at the same tyme not supreme and hath an equall : which Invention so tickled the Eares of many, that besides the absurd contradiction it beares in it-selfe, it became a snare of periury : so that thereby they did acknowledge and constitute a Power equall to the Kinge in his Kingdome, whom formerly they had sworne by expresse wordes in the Oath of Supremacy to bee the ⟨onely⟩ supreme Governour of the Realme.

Where is also the Supreme power of the People, which Bradshaw [1] soe falsely and impudently affected at the tyrall of Kinge Charles the ffirst—who sayd, that the Law is superior to the Kinge, but there is somethinge Superiour to the Law, (and that is indeed the Author of the Law), and that is the People of England : sure the supreme Power cannot be in the Kinge & People too at the same tyme : because there cannot be two supremes at one tyme, for that which is supreme can neither have a superior, nor ⟨an⟩ equall : and that this Supremacy is in the Kinge, is before abundantly proved : Away then with all these Juglers.

pp. B. of Armagh of the power of Princes, pag. 105.

VI. Hitherto I have demonstrated the Supreme Power of Rule to

[1] See *England's black Tribunall*, ed. 1660.

be onely in the Kinge: now a word or two of the obedience of subiects. *πειθαρχία ἐρί τῆς εὐπραξίαρμήτης*, saith Æschylus: Obedience to Authority is the mother or cause of the prosperity of a Kingdome: and alway the Government is better, where those that are to be governed, are better and more ready to obey: as the Government over men, then over beasts: *ἀεὶ βελτίων ἡ αρχη, ἡ τῶν βελτίονων ἀρχομένων*, Arist. lib. 1º Pol. ca. 5. Certainely the Government will be more perfect and absolute, where the subiects are more ready to obey the commands of Authority.

Whether the want of Government, or the want of obedience, would prove more pernicious to a State, is a point that Saint Chrysostome makes very questionable; for both tend to confusion but he judgeth want of obedience to be the worse: because in Anarchy the People haue some excuse for their disorder; but for disobedience to Governours, they are not onely inexcusable, but are likewise punnishable for the same. *34 Homil: in Epist: ad Hebræ os.*

Let every man remember that fearefull Judgement of God uppon Korah and his complices: Numbers ca. 16 et ca. 26 9, when the Earth opened her mouth, and swallowed them up quicke with their families, for their rebellion against Moses: and ⟨God⟩ consumed 250 persons more with ffire from heaven for a signe: and the next day after God strooke dead with the Plague 147,000 persons more of the Israelites for murmuringe against their Rulers, besides those which perished in the Conspiracy of Korah.

A dreadfull signe indeed, and to be remembered: I know God is not tyed up to one way of punnishinge: His power, and his wisdome and his goodness, are infinite: but if all the murmurers against our Gracious Kinge & his Government were so dealt withall, I feare there would be a greater vacuity in our nation, then most men dream of.

Seldome doth any man erre by Obedience: nay I am persuaded that this one late Rebellion hath caused more blood-shed, then if 20 tyrants should succeede one another: ffor those seldome take away the lifes of any, but such as oppose their greatness, as they surmize: and that is occasioned for want of Obedience, whose opposition breedes a Jealousy in the heart of their Prince.[1]

Wee cannot therefore followe a better or safer rule, then that of the Apostle 1 Peter ca. 2, ver. 13: *Ὑποτάγητε οῦν πάσῃ ἀνθρωπινῃ κτισει, διὰ τὸνκύριον: εἴτε βασιλεῖ, ὡς ὑπερέχοντι: εἴτε ἡγεμόσιν, ὡς δι' ἀυτοῦ πεμπομένοις εἰς ἐκδίκησινμέν κακοποαῶν. ἐπαινον δὲ ἀγαθοποιῶν.* Be ye obedient therefore to every man in authority in regard of the Lord: whether to the Kinge as Supreme: or to Magistrates, as sent by him

[1] Cf. Filmer, *Patriarcha*, chap. I, § 1: "The greatest liberty in the world (if it be duly considered) is for a people to live under a monarchy"; "all other shows and pretexts of liberty are but several degrees of slavery, and a liberty only to destroy liberty."

for the punnishment of evill doers, but for the Praise of them that doe well.

Our English Translation reades thus—Submit your selves therefore to every Ordinance of man for the Lord's sake: whether to the Kinge, as Supreme &c.: too darke for the originall, and absurd. The word κτίσει is in the Scripture frequently used for man, creature κατ' ἐξοχην beinge oft put for the noblest of creatures, to wit, man: Mark 16, ver. 15. Goe and preach the Gospell to every creature: that is, to every man: the same word πάση τῇ κτίσει is there used, but here the apostle addeth the word ἀνθρωπίνῃ unto it, to put it out of all doubt: πάση ἀνθρωπίνη κτίσει. To every humane Creature: that is to every man: * And our old Common Prayer-booke (in the epistle appointed for the third Sunday after Easter) reades it—Submit your selves therefore (to) every man for the Lords sake: where man is put for a man in Authority, as is playne by the followinge Distinction:—whether to the kinge, as Supreme; or to his subordinate magistrates: observe, hee saith not whether to the People, as Supreme; besides it cannot be meant to every man indefinitely for it is incongruous, that men in Authority be subiect to every inferiour person: but e contra, inferiour persons must be subiect to every man in Authority, wherefore it is cleare, every humane creature is put here κατ' ἐξοχην for all mankind in Authority.

** To all mankinde in Authority.*

The verbe ὑποταγητε here in the passive, commeth of ὑποτάσσομαι, which properly signifyes to be subiected, to be obedient as subiects: and so the words are clearely to be rendered thus—Be yee obedient therefore to every man in Authority, in regard of the Lord.

What can be clearer, the wordes (διὰ τὸν κὺριον in regard of the Lord) are of greate weight: for God requires obedience to Rulers: Titus 3, ver. 1. Put them in minde that they be subiect to the Principalityes and Powers, to obey such as beare rule, and that they be ready to every good worke.

Ffor God hath placed us in this condition of Subiection, whereunto we ought to Submit: and God will certainly punnish all disobedience to Magistrates & Rulers.

I have insisted the longer on these thinges, that I might instill these undoubted truthes into the hearts of the hearers: that by knowinge the Truth, they might be better prepared to avoyd all seditious seducers, which might possibly endeavour to draw you into Rebellious Practises against the Kinge or his subordinate Magistrates: and pray that wee, and all his subiects, (duly consideringe whose Authority he hath) may faithfully honour him, and keepe us within our due sphere of Allegiance to this Supreme Authority.

It remaynes, Gentlemen, that I come to your charge: the Particulars whereof I should now run through accordinge to my wonted method: But because I haue beene too longe already, I shall at this tyme onely

give you the Generall heads of such offences, which you are to enquire after : and wherein the Kings Royal Person and his imperiall Authority in the quiet Government of his People, are highly concerned : the Pleas whereof our Lawyers call the Pleas of the Crowne : ffor the Crowne, and the publique Peace, are so united in themselves, that the Preservation of the one, is the preservation of the other.

You are therefore to make true Presentments accordinge to your Oath, without favour or malice of any Person, of all high-Traisons, Petty-Traisons, ffelonies, misprisions whether of Traison or ffelony, Premuniries, and all other ffinable offences against the publique peace of this Nation, which shall come to your knowledge. The Particulars whereof your dayly practise & experience cannot but suffice to informe you : and although our Commission gives us no power to heare and determine the Grand Offences of Traison & some others, yet we may bind over such offenders to be endicted in such courtes which have plenary Power therein : and this by the Common Practise of England.

There are two thinges, wherein the Present State of our County at this tyme is most concerned, which I desire now to hint unto you, & so I haue done.

The first is The seditious Conventicles in order to Religion contrary to our Lawes established, and now too frequently Practised even to the Contempt of all Authority : ffor when People dare once Strike into Partyes, contrary to the Lawes and Contempt of the King's commandes & authority, it is alwayes a fore-runner of a Rebellion, and therefore must be timely suppressed : Each party will seeke to maintaine their owne way : The Presbyterians will be as zealous for their owne Party, as the simple Quakers will be for themselves ; or the dangerous Anabaptists and independents for their way, or the bloody Papists for their Party : and so by Toleration of these sectaries and strikinge into Parties, must needes produce ffactions, ffaction conspiracies, and conspiracies naturally must fly into open Rebellion as soone as they haue ⟨but⟩ power enough to fall on : There is a new Act of Parliament lately made against these Conventicles, though not yet come into our handes : which I hope may prove usefull towards the suppressinge of them all : and if that will not doe, there will be a necessity of Procuringe a farther Law, that our Tub-Preachers may be dealt withall, as Queene Elizabeth dealt with the Jesuites : whose sharpe Lawes & good execution of them, did preserve this Kingdome from beinge overspread with Popery. I say no more : It is your duty to be very carefull in presentinge all Conventiclers.

The other thinge is, the dayly sufferinge of vagrant sturdy beggars & wandringe Rogues, to passe our County without apprehendinge or punishment accordinge to Law : And now All Persons able of body, that Rogue about begginge any where out of their owne towne, are by the Late Act in that kind made as much vagrant rogues (though begginge

but in their neighbourhood within our County, out of their owne towne where they be settled) as if they came out of another county. And such able persons, as will not worke but use themselves to this Idle Trade of begginge, must necessarily at last for want of lively-hood fall to Pilfering & stealinge, whereby hedges are stript, and our houses broken, & other villanyes committed, and will at last endaunger themselves for the Gallowes: All our Constables are exceedingly negligent in their duty herein: And therefore I pray you spare not to present all such Constables, as are negligent in this & other of their duties, and God direct you in your duty.

ffinis. P. Leycester.

[The draft of this speech appears in "Quarter Sessions Law", pp. 163–86. This section is preceded by a cancelled version of the same speech.

The heading in "Quarter Sessions Law" is given as the Charge at Nether-Knotsford, October, 1669, but a note adds that, though intended for that session, the speech was in fact given at the Easter Sessions at Northwich, 1670.]

Gentlemen,

I. The due execution of the Law, is the life and vigour of the Law: without which it is but a dead letter. *ὁ νομος ἐχει δὺναμινἀναγκαρικηὺ* —Aristoteles lib. 10 Ethicorum, ca. 10 The Lawe carrieth in it a compulsive force: for ⟨if⟩ it either want power to compell obedience or else be neglected and not put in Practice nor observed, it ceaseth to be a Law: for although we have very good and strict lawes, that a Traytour shall be hangd, drawne & quartered; and all felons shall for the greater and notorious felonies be hanged; what signify these where the offender hath power to defend him selfe from the punnishment, or shall not be prosecuted for his offence, or have the punnishment remitted.

This execution of the Law belonged to the Supreme Power, the Kinge; who therefore appointeth Commissioners and other Officers, to see the Lawes duly executed: wherein if any fayle in their duty, they are false to their Trust and periured, and meritoriously to bee punnished.

Uppon these persons entrusted move the wheeles of our Kingdome: whiles these are kept in Order, The whole moves better & easilyer: and if any move irregularly, you have power to present them.

II. It is the ancient Lawes, which bind you, and us, to this attendance: and chiefely the Statute of 2° Hen. V, ca. 4, which appoints the Quarter Sessions to be kept yearely at such certaine tymes, as are at this day usually observed by us:

The Statute of 12° Rich. 2, ca. 10, ordained, that Justices of the Peace should hold their Sessions for three dayes togather (if neede required) once in every Quarter of the yeare at the least; without expressinge any certaine day or weeke: whereuppon it gayned the name of Quarter Sessions, and hath beene so called ever since;

for before this Statute of Richard the Second, although fowre sessions were to be held yearely, yet the same were not appointed Quarterly.

But the Statute of 2° Hen. V hath precisely appointed the certaine tyme of the Quarter Sessions, which ever since hath beene observed:

And these are sometimes in the Statutes named The Principall Sessions, sometimes the Open Sessions (possibly in opposition to the Privy-Sessions), sometimes the Sessions barely, sometimes Quarter-Sessions, and sometimes the Generall-Sessions: which all intend the same thinge. *4 Hen. 7, ca. 12. 27° Eliz. ca. 19. 5 Eliz. ca. 1. 23 Eliz. ca. 1. 43 Eliz. ca. 3 et ca. 29.*

But in the Recordes, the stile of the Court by the Clerke of the Peace, is usually stiled—Generalis session pacis domini Regis, tenta apud A &c.

III. Howbeit the Authority by which we Act, is the King's Comission under the broade seale; whereby the Justices of Peace are authorized to hold their sessions at such times and places, as they, or any two or more of them, (one beinge of the Quorum) shall thinke fit to appoint.

And the Commission at this day not beinge grounded on the Statute of 2° Henry V, as commissions were formerly uppon 36° Edw. 3ii, ca. 12 (untill 12° Rich. 2), wherein expresse mention was made of the speciall tymes of keepinge the Sessions, I say our Commissions at this day not beinge grounded on the Statute of 2° Hen. V, it doth seeme to dispence with the Statute in that parte: neither are the Justices punnishable for not observinge the tymes ⟨appointed by⟩ that Statute.

Yet in regard we are sworne to keepe the Sessions after the forme of Statutes thereof made, it will be the safest course to hold them accordinge to the Statute of 2° Hen. V aforesayd, which at this day we doe generally observe: ffor so we both observe the Statute, and our Commission, and likewise keepe our Oath.

IIII. The name of Iustices of Peace was first so stiled in the Statute of 36° Edw. 3ii, ca. 12: for after they had power given them for the determininge of felonies and trespasses by the Statute of 34° Edw. 3ii, ca. 1, they had then Judiciall Proceedings before them (as Judges) in a Court of Record: and were ever since called Justices, as other Judges of the Kinges Courts of Record were ⟨so⟩ stiled also: and so yet we call the Chiefe Justice of England, the Chiefe Justice of the Common Pleas, The Justices of the Upper Bench &c. and may observe also, how that anciently they were in latine stiled Justitiæ we find the formes of originall writs in Glanvill (under our Henry the second)—Quod sit coram me vel Justitiis meis: and so in our Ancient Latine Historians of England, we find Capitalis Justitia used for the chief Justice of England.

But Bracton in the tyme of Henry the third, compilinge a booke of the body of our Lawes in Latine, changed the word (Iustitiis) into (Iusticiariis): and setteth downe the writs accordingly—coram Iusticiariis nostris: and ever since hath the word (Iusticiarii) beene retained in all writs & commissions uppon Record, as Lamberd in his Eirenarcha, lib. 1, ca. 1 & ca. 4, hath well observed.

Now the name of Iustices of Peace were so called in Distinction and that by a double metonymy: The first word beinge a Metonymy of the effect, hath its rice [*sic*] from our English word Iustice and the Latine Iustitia, where the effect is put for the efficient; because all Iudges are to doe or execute Iustice: and the later word is a metonymy of the subiect, because these Justices are to execute Justice uppon the Offenders against the Publique Peace of the Kingdome.

These are anciently called Custodes Pacis, Wardens of the Peace: and were wont before the raigne of Edward the first, to be chosen in the full County before the Sheriffe, saith Lamberd: but the Election of these wardens of the Peace was taken from the People, and translated to the Kinge, 6° Edw. 1.

In termino Paschæ, 6° Edw. 1, coram Rege prima fuit Institutio

Justiciariorum Pro pace conservanda ; so the Lord Cooke in his Jurisdiction of Courtes : pag. 176.

So were these in our County anciently called Servientes Pacis, serieants of the Peace to the Ancient Earles of Chester.

Rot. Parliamenti 18° Edw. 1, fol. 3, num. 41, Homines de Cestershire, qui onerati sunt de servientibus Pacis sustentandis, petunt exonerari de oneribus Statuti Wintoniæ &c.

Rex non habet consilium mutandi consuetudines, nec statuta sua revocandi. Cooke's Jurisdiction of Courts, ca. 31 : page 176.

and by the Inquisition at Chester post mortem Uriani de Sancto Petro (commonly called Sampier or SeintPier) 4° Edw. 2, it was found, quod idem Urianus tenuit de Domino Rege in capite in Dominico suo ut de feodo, medietatem serieantiae Pacis per servitium inveniendi decem servientes Pacis ad Custodiam Pacis in Cestresiria : pro quidem Custodia antecessores sui percipere solebant 30 solidos per annum ad Scaccarium Cestriæ pro mantellis dictorum decem servientium &c.

It seemes that Count-Palatines (such as had Jura Regalia) did make Justices of Peace in their owne names formerly : and sundry Abbots to encrease their Jurisdictions had sometimes obtayned Grants from the Kings of England, that they might make Iusticiarios suos ad pacem conservandum within their owne liberties.

But ⟨by⟩ the Statute of 27° Hen. 8, ca. 24, Those libertyes were wholy brought back to the Crowne : since which Tyme all Justices of Peace in England are made by Letters Patents under the King's broad seale out of the Chancery of England : excepted in that Statute, The Archbishop of Yorke, the Bishops of Durham & Ely, & their Temporall Chancellours, who are made Justices of Peace for ever, each within their owne liberties : to wit, of Hexham, Durham & Ely : and also Justices of Peace for Lancashire are to be made under the Dutchy Seale, as formerly : Excepted also the Priviledges, libertyes, and customes, of cityes or townes corporate.

And this Power, Jurisdiction and Office of Justices of Peace (saith the Lord Cooke in his Jurisdiction of Courtes, ca. 31) is such a forme of subordinate government for the Tranquillity and quiet of the Realme, as no part of the Christian world hath the like, if the same be duly executed.[1]

V. By our Commission we have power to try all ffelonies : yet the Justices of Peace seldome meddle with any, unlesse petty-larcenies : but referre the ffelonies of Death unto the Judges of Gaol-delivery : The wordes of the Commission run de omnimodis ffeloniis, veneficiis, incantationibus, sortilegiis arte magico transgressionibus,—&c. where is named no ffelonies in particular, but witchcraft, enchantments, sorceries, and *coniuration* coniurations : which are the wordes of the Statute of 1° Jac. ca. 12,

[1] *supra*, p. 81.

see supra pa. 11. The reason whereof I take to bee, for that Heresy anciently did, and yet doth belonge to the Spirituall Court: and if these were branches of Heresy, as formerly they were taken to be, then ought they to belonge to ecclesiasticall Judges: In which cases, after sentence given, there lyeth a writ at the Common Law de Hæretico Comburendo: for all Heretiques were to be burnt by the Law.

Cooke's Pleas of the Crowne, ca. 41. Lambert li. 4, ca. 14.

But witchcraft and coniuration were made ffelony by the Statute of 1° Jac. ca. 12 and now to be tryed, as other ffelonies are, at the common Law: wherefore it hath ever since beene put into the Commission of the Peace, and by the Particular name, givinge power to the Justices of Peace for the tryall thereof.

And though all manner of ffelonies be named (in those generall wordes) in the Commission, yet are there some ffelonies that Justices of Peace cannot meddle withall: as fforgery, 5° Eliz. ca. 14: stealinge of Records, 8 Hen. 6, ca. 12, which are limited to Particular Judges and ⟨so⟩ appointed by the respective statutes.

Neither doth the Commission of the Peace enable us to meddle with Traysons, or misprisions, or Premuniries: nor can Justices of Peace meddle with any of them further, then to enquire and take Presentments thereof, send such offenders to the Gaol, bind over the witnesses and Prosecutor to the next Assizes, there to give in Evidence: And this power we have by the Common Law: Shepheard's Justice of Peace, ca. 6.

Yea in some, we have a speciall power by the Statutes given to enquire of them and receive endictments at the Quarter Sessions: as namely of those Traisons, Misprisions of Traisons, & Premuniries, contained in the Statutes of 1° Eliz. ca. 1, 5° Eliz. ca. 1, 13° Eliz. ca. 2, 23 Eliz. ca. 1, as by this last Statute doth appeare: and by which also it further appeares, that Justices of Peace have no power to proceede any further then to receive endictments therein: for as much as some of those Statutes aforesayd give power to the Justices of Peace within their respective divisions to heare and determine all offences therein in their Quarter-Sessions, except Traison & Misprision of Traison: and yet in the very clause before, in the same Act of 23° Eliz. ca. 1, gives them Power to enquire of all offences against all the sayd 4 Acts last before mentioned.

23 Eliz. ca. 1.

And the Statute of 5° Eliz. ca. 1, gives power to the Justices of Peace to receive Presentments of all Premuniries & other offences against the Act, to be certifyed into the King's Bench within 40 dayes: and in the very clause followinge limits all the offences against the same act to be heard and determined by the justices of the Kings Bench.

So that by the intendment of the Statutes, as well as by the Common-Law, Justices of Peace may enquire of all Traisons Misprisions of Traison

& Premuniries in their Quarter Sessions, & may receive Presentments thereof, & bind over the offenders: but no further.[1]

[The remainder of this Charge has been omitted, as it recapitulates the articles of enquiry already specified in preceding Charges.]

[1] Blackstone, on the competence of the Justice of Peace at the court of Quarter Sessions, says: "The jurisdiction of this Court extends to the trying and determining all felonies and trespasses whatsoever; though they seldom, if ever, try any greater offence than small felonies within the benefit of clergy; their commission providing that, if any case of difficulty arises, they shall not proceed to judgement, but in the presence of one of the justices of the courts of king's bench or common pleas or one of the judges of assize. And therefore murders and other capital felonies are usually remitted for a more solemn trial to the assizes. . . . But there are many offences, and particular matters, which by particular statutes belong properly to this jurisdiction and ought to be prosecuted in this court: as the small misdemeanors, against the public or commonwealth, not amounting to felony; and especially offences relating to the game, highways, alehouses, bastard children, the settlement and provision for the poor, vagrants, servants wages, apprentices, and papish recusants" —Blackstone, *Commentaries on the Laws of England*, IV, 19.

[The charge given to the Grand Jury at Northwich Sessions, April 4th, 1676, repeats ideas expressed in earlier charges. It has, therefore, been omitted with the exception of the passages on William Penne's Book printed below.]

There is now lately published a dangerous seditious booke under the name of William Penne Esq. whereof one was given to my handes by a Quaker to reade and peruse: perhaps to convert me, or rather pevert me by his Principles: The booke is Jesuitically written, and subtilly, intermingling truthes with falsehoods, to the ensnaringe of weaker Judgements wherein his maine reasons ground uppon Property, as established by Magna Charta: which Property of the subiect is not to be taken away: and this he would confirme by the old rebellious maxime —Salus Populi Suprema lex: insinuatinge thereby, that Lawe and Property may be defended by the People: and so would propose some Rules of Expediency.[1]

pa. 19, 21, 37.

But he never comes to the Point: for it is granted on all handes, that Property is and ought to be established by law, while the People live regularly in Obedience to the Lawe: but may not Property be forfeited by offenders against the Law? as in the case of High Traison, &c. and so must Penalties be levyed for the breach of all Penall Statutes: or otherwayes no Lawes would be obeyed.

For the Maxime of Salus Populi Suprema Lex, as it cannot warrant any such a thinge as the takinge up of Armes in defence of Property, or upon any other Pretence whatsoever, against a Lawfull Soveraigne: so the true meaninge thereof is excellently illustrated by Dr. Sanderson in his 7th Prælection read in the Divinity Schoole at Oxford in the beginninge of the late warre, whiles he was the King's Professour of Divinity there: which is done by one short Rule given by him, which never failes: and that is this, Vox collectiva semper collective debet intelligi nisi adiectum sit membrum oppositum: A collective word must alwayes be understood collectively, unles the opposite number be added: for example, Church is a collective word, and includes both the Head and members: and so must be collectively understood unles the opposite number be added, as to say—Christ is the head of the Church: here the opposite member beinge added, Christ is to bee understood as distinct from the body of his Church: so family is a collective word, and includes both maister and servant, and so must alwayes be understood collectively unles the opposite member be added: as if a man say to his servant, get all the fruit in my orchard for the use of my ffamily:

[1] *England's Present Interest Discovered*, ed. 1675.

the meaninge is not, that the servants shall have all the fruit to themselves and the Maister have none: Army is a collective word, and includes the Generall and his Souldiers, and so must be understood collectively: as if the Kinge should write to his Generall to remove his Army: the meaninge is not, that he should remove his souldiers onely, and leave himselfe to be a Prey to the enemy: so People is a collective word, and includes the Kinge and all the People: and so is alwayes to be understood collectively, where they be not contradistinguished: so then Salus Populi Suprema Lex is here to be understood collectively, that is, the Safety of Kinge and People is the Supreme law, or the chiefest end of the Law.

VIII. Againe, I finde another of a Higher forme (but no friend to Episcopacy) who is much displeased with the first of the Canons published by the Convocation, 1640: videlicet, that Monarchy is of divine right: and saith, that Archbishop Laud was the first Author that he remembers of this doctrine which as it is new, so the most dangerous destructive doctrine to our Government and Law, that ever was: why so, because (saith he) if this Doctrine be true, our Magna Charta is of no use, our Lawes but rules amongst our selves, duringe the King's pleasure: Monarchy, is of divine right, it cannot be bounded by humane lawes: nay, what is more, it cannot binde it selfe: *Earle of Shaftesburye's speach in the House of Lords, the 20th of October, 1675: pa. 10, 11.*

In the first place, I see not but that all these inferences here made, may all be granted without any absurdity: A good Kinge or Monarch that rules well (as blessed be God, ours doth) will alwaies take care for the Good of his Subiects, and will observe the lawes established, and the rules of good Governments: [1] and if a bad monarch succeede, who would breake the Lawes, he is onely punnishable by God, to whom he must certainely one day render an account of all his Actions: but he is not to be resisted by his subiects: and whosoever shall assert this Opinion, that a subiect may uppon any Pretence or account whatsoever take up armes against his lawfull soveraigne, I am sure he must get a New Bible, or it can never be defended: And he that goes about to limit his Prince, cannot be a loyall subiect: for that were to lay open a Gap to Rebellion: and if in one thinge he may be resisted, then certainely in another: and so such subiects will be both Judges and Parties. The Apostle's rule is sure, and without any exception: Hee that resisteth the Power (that is the highest Power, the Kinge) he resisteth the *Romans 13, 2.*

[1] cf. James L's view, expressed in *Basilikon Doron*: C. H. McIlwain, op. cit., pp. 18–19. "A good King, thinking his highest honour to consist in the due discharge of his calling, emploieth all his studie and paines, to procure and maintaine, by the making and execution of good Lawes, the well-fare and peace of his people; and as their naturall father and kindly Master, thinketh his greatest contentment standeth in their prosperitie, and his greatest suretie in having their hearts, subiecting his own priuate affections and appetites to the weale and standing of his Subiects, euer thinking common interesse his chiefest particular."

Ordinance of God : and those that doe resist, shall receave to themselves damnation. He that will be further instructed in this point, let him reade that excellent booke of Bishop Usher of the Power of Princes and obedience of subiects : wherein these ⟨truthes⟩ are abundantly proved by Holy Scriptures, testimony of the Primitive Church, dictates of right Reason, and opinions of the wisest amonge the Heathen Writers : [1]

Neither was Bishop Laud the first Author of that doctrine that Monarchy is of divine right : for this doctrine is as ancient as the Bible. These very wordes we find not in the Bible (Monarchy is of divine right) : But by sure consequence out of the Bible, this Doctrine necessarily flowes : ffor Paternall Authority (I beleeve) none will deny to be iure divino : because it is the dictate of nature stamped uppon mankinde by God himselfe at the very creation : but the Government by Paternall Authority is a Monarchy : ergo Monarchy is iure divino : and indeed the Originall of Monarchy and all kingly Government did springe up out of this Paternall Authority by little and little, as I have already shewed : and therefore Kings are called God's vicegerents, and the Ordinance of God : and the higher Powers mentioned by the Apostle were the Roman Emperours, under whom and in whose time the Apostles Writ their bookes : besides I have shewed before, that ius gladii or Supreme Power of Government in Monarchs and Kings cannot be derived from the People : then it must needes follow, that they have it from God : and then it is in the Monarchy iure divino.

Duke of Buckingham's speech in the House of Lords, Novem. 16, 1675.

IX. Another Greate man he stickles to bringe in a Bill for indulgence of dissentinge Protestants : for he thinkes it against Christian Charity, and even against Humanity it selfe, to see his fellow subiects throwne out of their liberties, and birthrights, and possessions, because they cannot agree with others in some niceties of Religion ; which their Consciences will not give them leave to consent to ⟨and⟩ which even by the Consent of those who would impose them, are no way necessary to salvation.

But I pray is it against the rule of Charity to punnish offenders who transgresse the Lawes ? what are Lawes, if not obeyed ? how can obedience be constrained from Offenders, without execution of the punnishments ?

Certainely Toleration of all Religions, will soone destroy the right Religion : It is more reasonable to subdue these Parties already begun, and to bringe them to Conformity by severe Lawes, then by toleratinge of them to hazard the totall rootinge out of the true Protestant Religion :

No man's Private Opinion in a nicety of Religion, if he will keepe his Opinion to himselfe, will either throwe him out of his liberty or

[1] Cf. Filmer, *Patriarcha*, chap. III, § 6 : " Although a King do frame all his actions to be according to the laws, yet he is not bound thereto but at his good will and for good example or so far forth as the general law of the safety of the common weal doth naturally bind him."

estate : But it is the runninge into Parties by multitudes, which is a greate disturbance both to our Church and State, it is this which our Governours ought Principally to provide against by severe lawes : ffor every Party thinkes their owne religion best : and so must needes run into factions : And by these insolent runninges into Companyes publiquely without Controwle, must needes at last bringe Conspiracies and Rebellions against our Present Government, if not timely suppressed : & therefore these have need of sharp lawes to curbe them.

And now, Gentlemen, I come to your Charge. I feare I have beene already too tedious : but I could heartily wish, that what I have sayd may be diffused into the Eares and hearts of all the County : that none of you may be ensnared in your Judgements, nor seduced by any secret Practices of evill men, to forsake your due Allegiance to our soveraigne Lord the Kinge in the least : and so you will be safe both before God and man.

your charge will consist of these V generall heads &c :

[The Charge given at Nether-Knotsford, October 3rd, 1676, has been omitted.]

My Charge at Middle-Wich Aprill the 24th, 1677.

Gentlemen

I. Our Lawes are very good, but they are ill executed: witness the multitude of vagrants and seditious conventicles amongst us, which walke safely and undisturbed: no body will see them, few or none will apprehend them: Indeed The Generality of our Constables are very negligent of their duty herein, who would rather cherish the breakers of our lawes, then complaine of any of them. Therefore you ought to be very strict in the presentinge of such offenders:

But for the better encouragement of Constables and all others in their duties, whosoever shall bringe any vagrant so brought; and for every Conventicle discovered by him, he shall have the third part of all the forfeitures, which may be very considerable: but whosoever shall not bringe every Vagrant comminge to his dore unto the Constable he forfeits ten shillings, and every Constable who shall not cause such vagrants to be punnished accordinge to the Law, he forfeits twenty shillings: and every Constable who shall not make knowne every Conventicle held within his Towneship, he forfeits five pounds for every such offence.

I have ioyned here Rogues and seditious Conventicles togather, as most pernicious enemies to the peace and quiet of our Kingdome: but the later I judge much more pernicious, as most certainely destructive both to our Church and State whensoever they have but Power and opportunity, whiles Rogues are onely Pernicious to the Goods and lifes of some Particular Persons.

II. I know universall obedience to all Lawes in any Government is not to be expected on earth, in regard of the pravity of mens natures: and because the wit of man cannot foresee what may happen for the future, it is impossible to establish all necessary lawes at once, in regard the manners of man doe vary and disorders dayly arise and encrease: Therefore there is a necessity of addinge and changinge of lawes accordinge to the iuncture of affaires in all Ages.

And methinkes matters at this present fly high in our Nation against our Monarchy and our Gracious Kinge, the best of Monarchies, and the best of Kings.

It hath beene Generally observed of the English and Scotch Nation, that they be the most perfidious and prone to rebellion against their Lawfull Princes, above other nations: and it was sayd longe before I was borne, as it were proverbially, Rex ffranciæ Rex Asinorum, Rex Hispaniæ Rex hominum, Rex Angliæ Rex Dæmonorum: so that the Kinge of England was tearmed the Kinge of Devills, because his

subiects were alwayes rebellinge against him: as you may see more fully in Dr. Heylin's Cosmography—Printed 1660, page 480. To which I may also adde thus much, that whatsoever will take paines to tumble over all our ancient and moderne histories, shall scarcely finde any one Kinge of England, from William the Conquerour downewards to this day, free from an Insurrection of his subiects, Kinge James onely excepted: and yet he wanted not a Gowrye's Conspiracy, and a Gunpowder-Traison.

III. And it is to be admired to see the multitude of seditious pamphlets now dayly printed and scattered amongst the people, containinge many dangerous and false principles to the ensnaringe of weaker Judgements, and tendinge to raise new commotions amongst us; and these not onely by some meane Persons, or some obscure Jesuiticall Imposters under the vizards and names of our sectaries, whether Presbyterian, Anabaptist, Independent, or those silly sort of People now amongst us called Quakers; but also by some of a higher forme: God divert the ill omen, which these things portend.

And I am verily persuaded, that these seditious seedes have beene sowen by the multitude of Jesuites now lurkinge in England through every corner of this Nation, where they found the Humors of the people enclinable to their Pernicious Principles: and hath beene much furthered by the Private Conventicles, both of Papists and all other Sectaries now amongst us.

IIII. Amonge these Pamphlets, some tell us of a bounded Monarchy, others of a mixt monarchy; both implyinge a contradiction in adiecto, which speaches we commonly call Bulls; ffor a bounded monarchy is like a Square Circle: if a monarchy, it cannot be bounded: if bounded, it is no Monarchy: for a Monarchy is (accordinge to its name) wherein one onely hath the supreme power in himselfe over all others: Aristotle lib. 1, Rhetoricorum ca. 8: I would then aske what must bounde it. There is no lawfull Superiour to binde it: for then there would ⟨be⟩ a Power Superiour to the Supreme: which to assert, is another Bull: also a mixt Monarchy is no Monarchy: for the Supreme Power must necessarily bee either in one onely or in more then one: if onely in one, then it cannot be in more then one at the same time: if in more then one, then it cannot be ⟨in⟩ one onely: So that a mixt monarchy is another Bull: sure it is hoped that these Bulls should beget a greate number of calves in this Nation, that so they might pushe downe our Monarchy with their hornes.

A monarch de iure not to be bounded, unles by consent his goodnes bindes himself:

V. Neither can the supreme power be bounded by the Lawes; for it is above the Lawe: it is that, which Preserves the law: for without it, the Law falles to the ground: and this Supreme Power is declared and acknowledged to be in the Kinge by our lawes, and by the oathes of Supremacy and Allegiance: and therefore hath no lawfull earthly power above him: but is onely accountable to God for all his Actions:

for suppose the Kinge should violate the Lawe, who can constraine or punnish him ? he hath no Superiour on earth to controwle him : but (Blessed be God) our Monarch preserves the lawes all he can : whose Property or liberty doth he invade of any man who lives regularly accordinge to the Law ? and if he should not invade the Property, liberty, lifes and estates of all Transgressours of the Law, as Traitors and ffelons and all other malefactours, how can he preserve the Lawe, or Protect his Subiects from devowringe one another, wherewith he is entrusted ? which Power is inherent in his Authority, as a Royal Gemme in his Imperiall Crowne given unto him by God : and is therefore called God's Officer by the Apostle not the Peoples Officer.

Rom. 13. ver. 4.

VI. Others would plucke his Authority from his Person : and tell us that they may take up armes by his Authority against his Person : a distinction hatcht in Hell, and invented in the late warre by the Rebells : [1] for to levy warre in this nation uppon any pretence whatsoever without warrant from the Kinge, is adiudged levyinge of warre against the Kinge within the Compasse of the Statute of High-Traison, 25° Edw. 3ii, because such take upon them Royall Authority, which is against the Kinge. Cooke's Pleas of the Crowne, pa. 9 : and then unless they can also distinguish his Authority from his authority (which will be a very hard matter to doe) His Authority will hange them as Traytors by our Law, and they will bee condemned as Rebells by the Law of God, for all their distinction.

VII. Others quarrel with our Bishops : because these are not onely more consistent with Monarchy, but a Prop of it : This is the old Presbyterian leaven, to wound the Kinge through the Bishops sides : for we all know that in the late Rebellion, they first voted downe the Bishops, and put them out of the house : and what then ? soone after they murthered Kinge Charles the first of blessed memory. But what is the quarrell with them now ? because in the first of the Canons published by the Convocation 1640, it is sayd that Monarchy is iure divino : which doctrine (say they) was then first preached up by Sibthorp, Manwaringe and others : and of later yeares by a booke published by Dr. Sanderson under the name of Archbishop Usher, a Doctrine (saith one) the most destructive to our Law and Government, that ever was. Why soe ? because then it cannot be bounded : A certaine truth, which will easily be granted by all sober and wise men.

rle of aftesbury each tober 20 75 pa. 10 [2]

[1] The origin of this doctrine of capacities can be traced at a much earlier date—*English Constitutional Ideas in the Fifteenth Century*, S. B. Chrimes (Cambridge, 1936), p. 38 : " On the whole, then, we can be confident that during the fifteenth century a distinction was not normally drawn between the person of the king and crown, even though the notion of a corporation sole was growing, and the doctrine of capacities was sometimes applied even to the king. But the possibility of differentiating between person and office was growing and the De Facto Act of 11 Henry VII must be considered as giving it a statutory recognition."

[2] When the margin was cut the initial letters of the words were removed.

Indeed if that doctrine had no other Assertours but the two last mentioned Bishops, Bishop Usher and Bishop Sanderson of the most ancient and most learned men in our Nation of this last Age, it were enough to gaine it credit: who have sufficiently proved the same in their learned writings: and methinkes it is plaine to Ordinary Capacities for

Whatsoever is approved, ordained, and appointed by God, it is iure divino: but Kingly Government or Monarchy is approved by God. Therefore it is Iure divino.

And whereunto obedience is commanded by the Law of God, that must needs be approved by God: But to Kings and Monarchs obedience is commanded by the Law of God: therefore Kings and Monarchs are approved by God.

Againe it is most certaine that the originall of all Monarchy is Jure divino: for it did springe from Paternall Government originally: and Paternall Government is alwayes a monarchy iure divino: for whatsoever is the Law of Nature, is the Law of God: for God is the Author of Nature, and this Paternall Authority did grow up into the name and Power of Kinge by little and little after the flood, when the world began to be replenished: and from these beginnings did all the Kingdomes of the earth springe up by degrees: and hitherto there were never any votinge by the People in constitutinge of Kings: but the eldest sonne by succession, as it were by a certaine right of nature, was esteemed as Prince over his whole tribe or kinred, as well in sacred as civill matters, as the learned Sanderson hath well observed to my handes: for Adam was the first Monarch over the whole world, as longe as he lived: and after him, his eldest sonnes successively: and we reade not of any other forme of Publique Government in all nations, save Kingly Government, for about 3000 yeares after the Creation of the world: but in later Ages wee reade of other formes of Publique Government brought in by the Grecians, a people full of levity, when some ambitious and factious spirits grew insolent, and would pull downe all Governments rather then submit to any.

VIII. Others tell us, that this Parliament is dissolved by Law: why so? because they finde an old Statute made 36° Edw. 3ii, ca. 10, wherein it was ordained that a Parliament should be held once every yeare: and this Parliament hath beene prorogued a little above a yeare. I pray, is it not an undoubted flower in the Crowne that the Kinge may summon, adiourne, prorogue, remove and dissolve any Parliament at his pleasure; and may refuse to signe any Bill without rendringe any reason at all. Cooke upon Littleton fol. 110a and he hath another Prerogative instar omnium, above all Lawes and Customes in the Kingdome: namely, all Lawes and Customes are voyd in law, quae exultunt se in prerogativam Regis which exalt themselves against the King's

The longe Parliament dissolved, pa. 2. Printed 1676.

Prerogative: how then can ⟨an⟩ old obsolete Statute take away the King's Royall Prerogative?

And that Statute of 36 Ed. 3ii, ca. 10, referres to the statute of 4o Ed. 3ii, ca. 14, where it is sayd, that a Parliament shall bee holden every year once, and more often if neede bee: now who shall be iudge of that neede but the Kinge? the words are plaine, there shall be a Parliam. once a year if need be, and oftner if neede be.

Neither doth that Statute say, that if a Parliament be held for a longer time than a yeare, that it is then voyd and dissolved: but it was then convenient for the Kinge to have frequent Parliaments: neither hath the custome of holdinge Parliaments beene constantly so from that tyme downewards: and late Statutes have beene made for a Trienniall Parliament, or oftner, if there be occasion, 16o Car. 2: whereby those older Statutes seeme to fall to the ground: because it gives liberty for a Parliament to be held once every third yeare: and one Statute is as good as another: and then it is not ⟨now⟩ necessary to be held by the Law once every yeare: and by the same Statute of 16o Car. 2 the Act of 16o Car. 1 is repealed, entituled An Act for preventinge of inconveniences happeninge by the longe intermission of Parliaments; because it was in derogation of his Maties iust right and Prerogative inherent in the Imperiall Crowne of this realme for callinge of Parliaments: which are the very wordes of the Act of Repeale. So that the Kinge hath Power by his Prerogative to dispence with this, and sundry other statutes, with a non obstante of the Statutes.

IX. Indeed the grand designe of these men is onely to get this Parliament dissolved; because they finde the Kinge hath now a wise and faithfull Parliament about him: and if these members of Parliament were dissolved, they hope others would bee chosen in their roome by their factions in every county, such as would vote accordinge to these mens humours: and if the Kinge then will not grant what they would have him to grant, then the people must be taught to clamour and to raise tumults against our Good and Gracious Soveraigne, and so dance the old dance over againe.

ibidem, pa. 4, 5.

And to this purpose they buzze into the Eares of the People other false Principles to prepare them for it: and tell them, that it is unreasonable that the Gentry of England, (who thinke themselves borne to have their share in rulinge, as well as beinge ruled) should be secluded from sittinge in Parliament so longe, whiles the Present members hold their seates from them:

a very weighty reason: I beleeve there are thousands of the Gentry of England, who would take it for a greate favour never to be made a member of Parliament duringe their life: because of the greate Trouble and charge thereof: especially those who live in the more remote parts of this Kingdome: neither hath any member of Parliament, anythinge to doe with the Government, or any share in Rulinge at all: but hereby they thinke to encline all Ambitious Spirits to their part.

X. againe they tell us, that if our lifes, liberties, and estates have their security from the Lawes onely, and the lawes have their main-

tenance from Parliaments, then if a particular order from the Kinge concerninge sittinge of Parliaments must be obeyed contrary to those Acts made for holdinge of Parliaments, the Kinge whensoever hee pleaseth may take away both the lawes which should secure us, and Parliaments which should secure our lawes. *ibidem, pa. 7.*

See how they would ensnare and incense the People hereby against the King's iust power and Prerogative, as if he would take away their lifes and estates uniustly by his power, unles the People curbe him.

And in the first place, see how false it is to say that our lawes have their maintenance from Parliaments: It is the execution of the lawes, that maintaines the lawes: which is the life and vigour of them: and without which the law is but a dead letter: This Ius gladii, or execution of the law, belonges onely to the Supreme Power, and Soveraigne Lord the Kinge: and no man of reason can deny it: for he onely substitutes his subordinate magistrates by his commissions, Judges and Justices of Peace, for the better execution of the lawes: and all Writs of Justice run in his name, and indeed the Lawes cannot be executed or maintained without him: for the Power of all the forces in this Kingdome are soly in the Kinge, as one of his iust and undoubted Prerogatives, to dispose of them at his pleasure: and so acknowledged by Act of Parliament 12^{0} Car. 2, ca. 6, and this Power is that, which supports the lawes: without which, if there should want power to compell obedience to the lawes, they would soone fall to the ground: and therefore the lawes have their maintenance from the Kinge, and not from Parliaments.

It is true, that our Lawes are enacted and made Lawes by our Parliaments: for the Parliament includes the Kinge, who is the sole adequate, efficient cause of all our Lawes: for the Bills put up, whether by the house of Commons or house of Lords, are revera but Petitions to his Maiesty in order to be made lawes: whereunto if the Kinge refuse to signe any Bill, it hath not the stamp of a law, but vanisheth into nothinge. So that the Kinge is Caput, Principium et finis Parliamenti.

Sundry other Particulars there bee, which the scantnes of time will not now suffer me to mention:

These thinges manifestinge the King's supremacy, I doe not onely Judge them fit and necessary to be declared at all times from such Publique places of Authority, but especially in this juncture of affaires not unseasonable to be instilled into the Eares of the People: that so they may be neither ensnared in their Judgements, nor seduced by the seditious Practises of others: but may keepe themselves within their owne due sphere of obedience, accordinge to the rule of the wisest of men: my son, feare God, honour the Kinge: and meddle not with them that are given to change: and the Apostle expressly bids us, to *Proverbs 24, ver. 21.*

Tim. 2. 2. pray for Kings and all in authority, that we may leade quiet and peaceable lifes in all godlines and honesty: not to raise up tumults against him, nor to take up armes against him, not to fight with him and to kill him: I can finde no such wordes in my Bible.

And now ⟨I⟩ Proceede to your Charge—&c.

My Charge at Nether Knotsford, October 2, 1677.

1. The Power, Office and Jurisdiction of Justices of Peace (saith the Lord Cooke in his Jurisdiction of Courts, ca. 31) is such a forme of subordinate Government for the tranquillity and quiet of this Realme, as no part of the Christian world hath the like, if duly executed: Here the streames of Justice flow to every man's dore.

Indeed the due Administration of Justice is the maine Pillar which supports a Kingdome: for by Justice is the Throne established: and not onely so, but it renders it also glorious and flourishinge in the eyes of others: for Justice exalts a nation.

Now administration of Justice supposeth a Law, whereby Justice may be administered: Punnishment to the Transgressors and Protection to the innocent: for where there is no Law, there can be no transgression.

and the Law alwaies supposeth a Power to Compell obedience thereunto: ὁ νόμος εχει ρὺναμιν ἀναγκαρικην saith the Philosopher: That is, the Law hath in itselfe, or carryes a longe with it, a forcinge Power: for otherwise it cannot be put in execution, and then it is all one, as if it were no law: *Aristoteles, lib. 10, Ethicorum ca. 10.*

It is therefore the Supreme Power which supporteth the Lawes: and that is Our Soveraigne Lord the Kinge, within his Ma^tles Realmes and Dominions: The Lawes have not their maintenance from the Parliament, as some of the late seditious pamphlets doe falsely suggest to the People, but from the Kinge, for it is he, that makes Judges and Justices of Peace, and other Officers, for the better execution of the Lawes: and the Power of all the forces in this Kingdome are in the Kinge; as one of his most iust and undoubted Prerogatives: which we may reade in the Preamble of the Statute of 12° Car. 2, ca. 6. And therefore havinge Ius Gladii onely in himselfe he is both the Prime Author and Preserver of our Lawes; nay it is no longer a Law, then the Supreme Power is pleased to allow it so: because he is uncontroulable in his Actions, and hath no lawfull Superiour on earth to controwle him.[1]

And this Power is given him from God; and therefore due to him iure divino: wherefore the ⟨Kinge⟩ is called by the Apostle Θεοῦ διακονὸς God's Officer or Minister; not the People's Officer: neither doth he beare the sword in vaine: and Saint Peter strictly chargeth us to submit ourselves to all mankind in Authority in regard of the Lord (for so the wordes in the Originall doe properly signify and import) whether to the Kinge as supreme, or to Rulers (that is, his subordinate Magistrates) *Rom. 13, 4.* *1 Petr. 2, 13.*

[1] Cf. Filmer, *Patriarcha*, chap. III, § 1: "The Kingly power is by the law of God, so it hath no inferior law to limit it."

as sent by him for the punnishment of evill doers, but for the praise of him that doe well.

Wee see then the Supreme Power lodged in his Maiesty iure divino by the Law of God: let us see now how it is lodged in him iure humano by the lawes of our nation: To avoyd other multitude of Proofes, in short the Oathes of Supremacy and Allegiance doe sufficiently demonstrate that: whereunto we have all sworne, and the 55th canon of our Church enioynes every Minister to pray for the Kinge in these wordes—in all causes and over all Persons, as well ecclesiasticall as temporall, within his Maties realmes and Dominions supreme Governour.

Sometime formerly the Bishops of Rome challenged the Jurisdiction Ecclesiasticall, and head of the Church as well in England as other Kingdomes: But Kinge Henry the 8th (who was the first that began Reformation of Religion in England) willinge to shake of that yoake, had the title of Supreme Head in earth of the Church of England annexed unto the imperiall Crowne of this Realme, by Act of Parliament made in the twenty sixth yeare of that King's raigne: but that Title was after changed by Queene Elizabeth into (Supreme Governour):

26 Hen. 8, ca. 1, 1535.

ffor two Supreme Powers at once in one Kingdome, one Ecclesiasticall, and the other temporall, are inconsistent: for either the one must truckle to the other, or both be destroyed.[1]

IIII. ffor the space of 900 yeares &c.[2] after Christ, the Bishops of Rome were in such subiection to the Emperours, that even in that Age the Emperours punnished them with the deprivation of their Bishopricks, if they were criminous: as Otho the Emperour deposed John the 22th for his impure and vitious life: as we reade that Solomon thrust out Abiathar for beinge Priest unto the Lord: and put Zadok in his roome.

1 Kin. 2, 27 and ver. 35

The first Pope who exalted himselfe above the Emperours was Hildebrand, made Bishop of Rome about 1073, who excommunicated the Emperour Henry the fourth, and deprived him of his Kingdome: but the ill successe of the Actors in that furious attempt, might well have discouraged the Bishops of Rome in succeedinge Ages for medlinge againe in such ungodly enterprises: and Pope Hildebrand himselfe (whiles he was in contention with the sayd Emperour to depose him) by consent of his owne people (the Romanes) was deprived of his Popedome.

Sigebert anno 1084 God & the King, pa. 27, 28. 11 Eliz. 1569.

V. But to come nearer to our times, and closer to ourselves: Pope Pius V sends Moreton an English Priest to declare by his Papall authority to the then Earles of Northumberland and Westmoreland, that Q. Elizabeth was an heretique, and thereby fallen from all Dominion and power, and that they were not to obey her lawes: whereuppon they

[1] Cf. the Tudor refutation of Papal claims to supremacy, quoted and discussed K. Pickthorn, *Early Tudor Government* (Cambridge, 1934), p. 277.

[2] The above section of the speech has been inserted on a loose sheet of paper, and the opening paragraphs of the speech, as written in the book, have been cancelled.

raised an Army in the North of 4000 foot and 600 horse, for maintenance of liberty of conscience and reformation of Religion, as they pretended : which forces by Gods goodnes were soone vanquished. *Stowe's Annals 12 Eliz.*

Pius Quintus soone after sent out his Bull, denouncinge the Queene an heretique and ⟨such⟩ subiects as did cleave unto her should incurre his curse, and that she was deprived of all dominion and dignity : commandinge all her Nobles and People not to obey her lawes upon paine of his curse : and this thunderinge Bull he caused to be Printed at Rome and signed by a Publique Notary, sealed with the Seale of his Court, that it might be the better knowne and beleeved by the Papists : at length beinge sent into England, it was fastened by one ffelton upon the Gates of the Bishop of London's Palace : hereupon was the Statute of 13° Eliz. ca. 2 made concerninge the puttinge in ure of any of the Popes Bulls, is High Traison. *1570, 12° Eliz.* *High Traison*

VI. But although these Papall Thunderbolts vanished into nothinge, yet Gregory the 13th immediately succeedinge Pius Quintus, confirmed his Bull ; and erected a Colledge at Rome, and gave a Pension to another Colledge at Doway, to be receptacles for fugitive Persons out of England to be instructed in Schools Points of sedition (as their oracles, Bristow & Allen, manifest in their bookes) and from thence to be secretly conveyed into England to persuade men, that they were bound to obey the Pope's Bulls and Excommunications, and to renounce their Allegiance to the Queene. *1578, see the Statute of 23 Eliz. ca. 1. Bristow's motives Mot. 15, 40. Allen's defence Engl. Cathol. ca. 4, 1580.*

The most Principall men of these fugitives were the Jesuites Campian and Parsons, who by command of Gregory the 13th with their Instructions enter England : and Saunders at the same time enters Jerland with an army from the Pope to succour the Rebell Desmond.

VII. These seeds-men of sedition were no way suppressed, but rather did dayly multiply : and at length grew into that height of impiety, as to animate sundry desperate persons and sonnes of Belial, as Arden,* Parry, and others, with hopes of eternall Salvation to lay violent handes upon the Queene's sacred person : and become Principall Agents to incite the Kinge of Spaine to invade this Realme,† assuringe him he should have here a Party of Papists ready to assist him : * *1583, 25° Eliz.* † *26 Eliz.*

Hereupon it was enacted 27° Eliz. 1585, that if any Jesuite or Priest ⟨borne in this realm⟩ should come within any of the Queenes Dominions, such shall be adiudged Traitors : and all who shall relieve any Priest, is made felony without benefit of Clergy : and to send reliefe beyond sea, is a Præmuniri. *27° Eliz. ca. 2.*

But notwithstandinge all this, these secret Jesuites lurkinge in our Realme had persuaded many to refuse comminge to our Church, and to have Private Conventicles of their owne whereupon the Statute of 35° Eliz. ca. 1, was made, that all such as did not conforme and submit within the time limited in that Statute, such were to abiure the Realme. *35 Eliz.*

VIII. And did these bloody Papists stay their impious proiects here no: then they plotted the Gunpowder Traison to blow up all the Parliament at once: which horrid plot should have beene acted November 5, 1605: and many Papists were prepared to rise in severall parts of this Kingdome, whereof some were taken: for they onely expected the newes of that terrible blow, which was miraculously discovered and prevented: Hereupon was the Statute of 3° Jacobi, ca. 4, enacted for the takinge of the Oath of Allegiance, to distinguish the Tares from the good Corne.

And ever since, have these engineers beene continually hatchinge new devices for stirringe up Rebellions in our Nation, and to disturb the Peace of Israel.

IX. In the raigne of Kinge Charles the first there was a sort of sectaries, called Puritans: these were tickled in the Eares by the Jesuits, that the ceremonies of our Church were Popish, and that our Bishops intended to bringe in Popery: which animated that Party so farre that they raised a Rebellion against the Kinge, havinge some principall men to head the faction, and countenanced by some members of the Parliament, anno domini 1640: which at last ended with an execrable murther of the sayd
* *1648.* Kinge, under the specious show of a court of Justice *: and then banished his Children: and set up Oliver Cromwell, called the Protectour, 1655, all this we have seene acted with our owne eyes.

X. And now at this present how many Jesuiticall Pamphlets are dayly scattered amonge the People to ensnare weaker Judgements, and to draw them on to raise a new Rebellion? and how many kind of Sectaries have we now amongst us, and numerous Parties of each sort? to wit Presbyterians, Anabaptists, Independents, Quakers, and I know not what: all fed by the Jesuiticall Party now lurkinge in every corner of our Kingdome, and followinge the humors and inclinations of the Persons every where, as they finde them to stand affected accordinge to the Severall Sects, purposely to make Divisions amongst us: yet all agreeinge in this, that they separate from the Church of England, and betake themselves into Private Conventicles, each sect apart by themselves: and hence was it that the Statute against seditious conventicles was enacted, 22° Car. 2, 1670, but now these Sectaries grow so numerous, that they build themselves meetinge-houses for their owne Party almost every where, to the confrontinge of Authority and the scandall of the true Protestant Religion: but I hope our honourable Parliament will shortly take some course, that these meetinge-houses (for so themselves do call them) may be everywhere pulled downe to the ground.

XI. So that it is plaine to see, that from ⟨our old implacable⟩ enemies, the Papists, springe up all the disturbance of our Church and State: It is onely the weaker sort of People that are ensnared by them, either fooles or knaves: for wise men will find out the falsenes of their

Pernicious Principles: In one of their pamphlets * they tell us, this Parliament is dissolved by Law: why so? because they finde an old Statute made 36° Edw. 3ii ca. 10; wherein it was ordained that a Parliament should be held once every yeare: and this Parliament hath beene Prorogued some-what above a yeare: and therefore dissolved in law.

* *The Longe Parliament dissolved printed 1676 page 2 condemned to be burnt by the Common Hangman.*

But here the Pamphleter leaves out the wordes of the Clause of that Statute of 36° Edw. 3ii—as at another tyme was ordained by Statute: but that Statute so referred unto, was 4° Edw. 3ii, ca. 14. where it is sayd, that a Parliament shall be holden every yeare once, and more often, if need bee: which beinge in the coniunctive, (if need be) must referre to both clauses: there shall be a Parliament held once a yeare if need be, and more often if need be: now who must iudge of that neede but the Kinge? besides the Kings of England have not observed those Statutes ever since they were made: for from the 5th yeare to the 8th yeare of the sayd Kinge no Parliament was called: and it is reasonable to imagine, that the Kinge would ⟨not⟩ so soone have broken his owne Law, if he thought himselfe obliged to every yeare absolutely nor hath the custome of holdinge Parliaments ever since downewards, beene constantly so observed.

Neither doth that Statute of 36° Edw. 3ii say, that if a Parliament be held for any longer time then a yeare, that it is then voyd & dissolved:

againe, it is an undoubted Prerogative inherent in the Crowne, that the Kinge may summon, adiourne, prorogue, remove & dissolve any Parliament at his pleasure: Cooke upon Littleton fol. 110a and he hath another Prerogative instar omnium, that all Lawes and Customes are voyd in Law quæ exultant se in Prerogativam Regis which exalt themselves above the Kings Prerogative: and the Kinge may dispence with sundry Statutes by his Prerogative, as by grantinge Pardons &c. with a non obstante of the Statutes.

This XI section was not at all spoken by mee.

How then can that Statute (if it were truly so to be understood, as the Pamphleter would have it) cut of the King's Prerogative? howbeit it is a false Glosse upon the Text (as most other of the Jesuites assertions be) onely to deceive the people, to incline them to rebell ag.t the Kinge.

XII. And therefore, Gentlemen, that I may drawe to an end (for I hasten) what remaines, but the counterplottinge of these engineers, who are continually undermininge the Peace both of our Church and State? I meane our old implacable enemies, the Papists, with all their new enchanted crew of Sectaries of all sorts: which will best be done by the puttinge of all the Lawes made against them into speedy execution: whereunto wee our selves, every Justice of Peace in his station, must make it his business strictly to finde them out: for the Countrey-People are generally so rotten, that they will not complaine of them, though they see and know of these seditious meetinges before their eyes dayly:

And your duty is now to present all offences against the publique

Peace of the Kingdome, which shall come to your Knowledge, accordinge to your Oath: to wit, all High Traisons, and Petty Traisons. All manner of ffelonies, murthers, manslaughters, and larcenies. All misprisions, and Præmuniries.

Omissions in Constables. All other punnishable offences, as Constables not levyinge Huy & cry; not settinge Watch and Ward accordinge to the Statute; not executinge the warrant of a Justice of Peace; not apprehendinge sturdy Rogues and vagrant Beggars; all such as do not bringe such vagrants begginge at their dores unto the Constable; Constables and Churchwardens not presentinge ⟨the⟩ monethly absence from Church of all Popish Recusants within their Townes and Parishes, and the names of their children and servants, once every yeare at the Quarter Sessions.

Surveyors. Surveyours not causinge the Highwayes to be mended sufficiently; all defects in the High wayes, causes, and bridges; not cuttinge downe the Boughes of Trees hanginge over the Pavements and at the side of Lanes to the greate annoyance of Passengers, which I finde now much out of order in these parts; All persons not comminge to Church on a Sunday, not havinge some lawfull excuse: all such as shall obstinately refuse to come to church, and are absent for a whole moneth togather:

Absence from the Church.

Coroners. Coroners not viewinge the dead body of a Person slaine:

Under sheriffes and Bailiffes fforce. Undersheriffes and Bailiffes executinge their offices, not havinge taken the Oathes of their Office and Oath of Supremacy:

Overseers of the Poore. Over seers of the Poore not provydinge for the impotent Poore:

All riots, routs and unlawfull Assemblies.

fforcible entries, fforcible detayners.

All assaults, Batteries, bloodshed and mayhems.

Lyinge in waite to kill or mayhem: Duells.

Smitinge in a Church or Church-yoard.

ffrauds. All extortinge of ffees by any Person, in takinge more then is due.

Periury and subornation.

Embracery of Jurors.

Champerty and maintenance.

ffalse weights and measures.

fforestallers, Ingrossors, and Regrators.

All deceitful Practices.

Common Barreters.

Offences of Mixt natures. callinge the Kinge heretique or Papist, to create dislike.

keepinge a schoole maister ⟨in his house⟩ not repayringe to the Church once a moneth.

Sayers or Hearers of Masse.

Speakinge any thinge in derogation of ⟨our⟩ Common Prayerbooke.

Common Drunkards and Tiplers, and disorderly Ale-house Keepers.

sellers of Ale without Licence, exceptinge at a ffair-tyme onely.

Spreaders of false newes.

Takinge swannes-Egges, ⟨and killinge⟩ Phesants, and Partridges in another mans ground.

Takinge aboue 6li per centum Interest.

Hawkinge and huntinge in standinge corne.

Killinge or deere ⟨or coneys⟩ in any park ⟨or warren⟩ without the Owner's consent.

Erectinge any cottage contrary to the Statute, or continuinge the same not havinge fowre Akers layd to it.

Lastly I shall chiefely commend to your care the Presentinge of all seditious Conventicles in order to exercise of Religion contrary to the Lawes established, of what sort soever: as also if you know of any Seminary-Priest or Jesuite in our County, or any Person harbouringe or releevinge any such Priest or Jesuite, you are to make knowne the same: for undoubtedly there have beene some such lately amongst us, or now are: and you see how numerous the sectaries do growe.

You are likewise to present all such Constables as do not from time to time make knowne to some Justice of Peace the names of such Persons (so many as they know) as were present at such unlawfull meetings within their townships, and who was the Speaker: It is 5 li for every such neglect of the Constable.

I am sure the Constables of Over-Whitley Lordship, and the Constables of Appleton, are much too blame herein: for never any of them have as yet informed against any one meetinge, although in Over Whitley there have beene, and are frequent Conventicles of Quakers; and in the other, of Anabaptists or independents (I know not what to call them) it may be Papists or Jesuites: But if I finde not the constables diligent in their duty for the future in makinge knowne these meetinges, I will cause them all to be endicted the next sessions, and every sessions, till they shall punctually doe their duty, and for their better encouradgement to doe their duty, they shall have the third part of all the forfeitures accordinge to the statute, which may be very considerable. I have now done: and God direct you in the discharge of your duty.

ffinis.

APPENDIX I

GLOSSARY

1. Observe That this ensuing Table doth cheifely reflect on my owne Deedes & Evidences for which I dare affirme it very punctuall. & doth comprehend some thinge more of the most usuall wordes in generall Recordes.

2. You must note sometymes even very English Wordes are made Latine: which if they be not old wordes and not now out of use, I omit them. As, unam Robam de scarletto &c: which any head may understand y^{t} can read.

3. if the Latine Wordes bee too good, and usuall, such as be contained in Latine-Dictionaryes, those are omitted as superfluous: because you may fynd them else-where in any child's Dictionary as Ridars with Holy-Oke. some few Greeke-compound words excepted, which (beinge very obvious) for ease I haue inserted.

4. To the true understandinge of old Deedes & Recordes is required the very perfect under-standinge of ye Latine & ffrench tongues, especially the old Norman-ffrench: neither must the Greeke tongue bee left out wholy: nor the readinge of the Historyes of the Saxons our predecessours be omitted: whose Reliques both of Wordes & Lawes & Customes were not wholy abrogated by the comminge of the Normans: And without the tongues first named you cannot read the wordes, which are many tymes cut of in the middle, unles you make up the terminations your selfe, as they ought to bee. & therefore perfection in them ought principally to be had.

In old Deedes There were 3 thinges usually omitted, which are now inserted in Deedes.

1. The date was seldom̄e or never put downe before the raigne of K. Edward the second: but from that tyme downeward Constantly. I have indeed a Deputation sealed at Yorke of Eschaetorship made over unto Nicholas de Leicester &c: Dated ye 56. Hen. tertii: but it is very rare to fynd a Date before the tyme of Ed. 2^{ond}. The reason of the omittinge of the Date was (as my Lord Cooke observes) that the Limitation of Prescription or tyme of memory did often in processe of Tyme change, & that the Law was then holden, y^{t} a Deed (bearinge Date before the limited tyme of Prescription) was not pleadable: & therefore made them without Date that they might alledge them to haue beene made within the tyme of Prescription. *pag. 6. uppon Littleton.*

[not completed].

APPENDIX II

DELINQUENCY PAPERS

Box 1.

12.		Printed. (Oxford University Press—Leonard Lichfield, 1646.) A copy of the Articles of Oxford. Includes the printed order of Sir Thomas Fairfax, June 24th 1646, ordering his command to accept the surrender of Peter Leicester.	
9.		The names of the Committee men of Goldsmith's Hall. (Those sitting regularly separated from those appearing occasionally.) On paper.	
10b.	July 10th 1646.	(1) Peter Leicester petitions that as his fine has been paid his name may be entered as compounded, and a letter directed to the sequestrators of Bucklowe, Northwich & Mansfield hundreds, to testify this to them. (2 copies.) (2) Petition of Peter Leycester to the Committee at Goldsmith's Hall that he should be admitted to a favourable composition & that therefore, letters should be directed to the sequestrations committee for the co. of Cheshire to certify the value of his estates. Each on a sheet of paper.	[Bucklow Northwich & Mansfield hundreds.]
10.	Aug. 12th 1646.	A copy of Peter Leicester's petition to the committee at Goldsmith's Hall, requesting a composition. Double sheet of paper.	
17.	Oct. 22nd 1646.	Particulars of the lands, tenements and rack rents of Peter Leicester the younger of Nether Tabley, lying in Northwich Hundred, taken by the Committee for Sequestrations at Lostok Gralom. Then particulars within Bucklow hundred. Then particulars within Macclesfield hundred. On paper.	[Northwich hundred. Lostock Gralam. Bucklow hundred. Macclesfield hundred.]
15.	Nov. 3rd 1646.	Confirmation of the Articles of Oxford by Parliament. Double sheet of paper. English.	
16.	Nov. 7th 1646.	Order from the Committee for Compounding with Delinquents to the Committee for Sequestrations for the County of Chester to cease receiving rents of the tenants of Sir Peter Leicester. Double sheet of paper. English.	

18. Nov. 21st 1646. A copy of the particulars under Peter Leycester's own hand, given to the Committee of Sequestrators. On paper.

3. Dec. 3rd 1646. Peter Leicester swore that he received certain chief rents from his estate amounting to £3 3s. 6d. a year. On paper.

5. Dec. 5th 1646. Peter Leicester of Nether Tabley co. Chester, swore that Mary Booth and Mrs. Elizabeth Booth, daughter of Sir George Booth of Dunham Massy, co. Chester, had £46 of annual rent belonging to the said Peter, for 4 yrs. Signed P. Leicester. On paper. English. [Dunham Massy co. Chester.]

6. Dec. 5th 1646. Particulars of the debts of Sir Peter Leicester, on oath. On paper. English.

2. Dec. 12th 1646. Order of the Lords & Commons assembled in Parliament for all Papists, officers, souldiers of Fortune & all other delinquents that have afflicted the Enemy in the late Warre against the Parliament of England to depart from the lines of Communication.—Printed. On paper.

4. Dec. 15th 1646. Order of Houses of Parliament that Peter Leicester whose composition for his delinquency was not complete, was to remain in London & Westminster, or within 20 miles. Printed. On paper.

20. Dec. 15th 1646. Licence for Peter Lester to stay in London. Printed, on paper.

11. Jan. 1st 1646. Copy of affidavit of Peter Leicester of Nether Tabley, that he granted to John Gore and William Gore an annuall rent of £200 for ever, as security for £1,000 borrowed, and that the £1,000 was still owing and the deed was in force, until he should pay to John £1,400. On paper.

7. Jan. 5th 1646. Assessment for Peter Leicester's fine—Particulars of estate.

Demesne	£331	5s.	0d.
Old Rents	75	14s.	3d.
Rack Rents	31	8s.	1d.
	£438	7s.	4d.

Upon the Articles of Oxford assessed.

Old Rents	£378	10s.	0d.
Demesne	725	6s.	2d.
	1123	16s.	2d.
Allowances	£339	3s.	6d.
Restat	784	12s.	8d.

Fine set by the Committee—
£747 10s. 0d. On paper.

21. Jan. 5th 1646. Order from the Gold-Smith's Hall that Peter Leicester, having submitted to his fine, was to be permitted before any other to take a lease of his estate. On paper. English.

8. Jan. 21st 1646. Notice from John Leech (Goldsmith's Hall, London). Those who had delivered petitions, but had delayed the completion of the composition, were to lose the benefits of the Articles of Oxford. Those who had not paid their fine were to do so within 7 days or lose the benefit of the articles. On paper. English.

8b. Jan. 26th 1646. Peter Leycester petitioned that whereas he could not raise the full sum of his composition, in accordance with the above order, as he could not raise money in security of land in such a short space, being a stranger in London yet he should not be regarded as an obstinate delinquent. [London.]

1. May 10th 1647. Receipt for £373 15s. half the fine imposed on Peter Lecest' of Nether Tabley for his delinquency to Parliament. Paid to Richard Waring & Michael Herring, Treasurers of the Goldsmith's Hall. (On paper.)

14. May 10th 1647. Order from the Commissioners for Composition's with Delinquents, to the Committee of Sequestrations for the County of Chester. The sequestration of the estates of Sir Peter Leicester was to end, as he had submitted to a fine and had paid half of this. Double sheet of paper. English. Attached to this is particulars of the estate of Peter Leicester, for which he had compounded. A double sheet of paper. English.

22. May 10th 1647. Peter Leicester and Ffrancis Woodham acknowledged themselves bound to Richard Waring and Michael Herring in £700. Latin. Conditions (English). If they paid to the above named men, at Goldsmith's hall, London, £373 15s. on June 1st next, in which Peter Leicester was bound for his delinquency, the obligation was null and void. Signed P. Leycester. Seal applied in red wax to the paper.

14d. May 11th 1647. Order from the Commissioners for Compounding with Delinquents to the Committee of Sequestrations for the

	Co. of Chester, that all evidences, deeds etc. relating to the estate of Peter Leicester be restored. On paper. English.	
14b. May 25th 1647.	Order from the sequestrators of the city of Chester that all evidences deeds etc. relating to the estate of Peter Leicester, be restored in accordance with the order from Goldsmith's Hall. Double Sheet of paper. English.	
14c. May 25th 1647.	The Committee for Sequestrations for the Hundred of Northwych, in accordance with the order of May 10th, ordered the sequestration of the estates of Peter Leicester to end. Double sheet of paper. English.	[Northwich Hundred.]
14e. May 29th 1647.	Order to the sequestration's committee of Bucklow Hundred, to end the sequestration of the estates of Peter Leicester, in accordance with the order from Goldsmith's Hall. (English—double sheet of paper.)	[Bucklow hundred.]
14f. June 2nd 1647.	Order to the Sequestrators for Macclesfield Hundred to end the sequestration of the estates of Peter Leicester. (English. Double sheet of paper.)	[Macclesfield Hundred.]
19. Sept. 13th 1648.	Copy of the ordinance of Parliament for drawing up the pardon of Peter Leicester. On paper.	
1a. Oct. 20th 1648.	Receipt 2nd instalment of the fine of Peter Leicester—£373 15s. (as in 1st installment).	
23. 1648.	Account of Mr. John Shawe of money received & disbursed—He received £409 and spend this on £373 15s. delinquency fine, payments to a member of the House of Commons to Mr. Beale for drawing up the pardon, 8d. for a box in which to keep the pardon etc. 6d. for an Allmenacke & 2s. 8d. for books. Total £412 18s. 11d. On paper.	

DELINQUENCY PAPERS 2.

June 20th 1649.	Mandate from the Committee for Compounding Goldsmith's Hall, to the Committee of sequestrations, Bucklow Hundred, co. Chester, to repay £33 6s. 8d. taken from Peter Leicester, contrary to the Articles of Oxford. English. On paper. Attached are,	[Bucklow Hundred]
March 11 1644.	(1) an inventory of the goods of Peter Leicester the elder, at Nether Tabley,	

	March 11 1644.	(2) An inventory of the goods of Peter Leicester the younger. (On paper.)
13.	Oct. 23rd 1651.	Writ to the sherriff of Cheshire ordering that Peter Leicester of Tabley be released from outlawry (by authority of Parliament). English.

APPENDIX III

MANUSCRIPT COLLECTIONS AND TRANSCRIPTS OF OTHER ANTIQUARIES USED BY SIR PETER LEICESTER

LIBER C.	
Bostocke's Book-owner Sir Simon d'Ewes (MS. Harl. 139).	
The originals transcribed there belonged to:	John Warburton of Anderton. Ralph Dutton of Hatton. John Grimsditch. Lawrence Hatton of Kyisty-Birches. William and Richard Merbury of Merbury.
Mr. William Vernon's notes on the charters of the Venables of Kinderton.	Sir Peter also compiled a volume of transcripts of the charters of the Venables family. (Liber H.) The original volume of transcripts of these deeds is in the College of Arms.
Simon Clarke of Salford, Warwickshire.	Extracts from the Register of the Priory of Kenelworth. These were obtained through William Dugdale.
Leycester of Toft.	Deeds of Colwich, Staffs.—D 1–4. (The representative of the Leycester family is Mr. Roxby. The charters have now been deposited on permanent loan at John Rylands Library.)
	Deeds relating to Cheshire.
John Booth of Twemlow.	Original deeds. These remain at Twemlowe Hall (Ormerod 1, preface). John Booth's books of transcripts are in the library of the Architectural, Archeological and Historic Society of Chester and North Wales.
	Bodleian library accessions.
Extracts from the Pipe Rolls in Mr. Dodsworth's collection and from the books of Roger Dodsworth.	Liber Y Liber A Liber W Liber L. Dodsworth's books are now at the Bodleian :— Dodsworth 109, 10, 103, 1.
Mr. Erdeswicke's Book of Cheshire (Dodsworth MS.).	
Transcripts from the collection of William Dugdale.	
Sneyd of Keele.	Original deeds.
Couchir Books in the Duchy Office, Tom. 1, 2.	Public Record Office.
Mr. Jolly Leeke, Staffs.	Deeds relating to Coston Haket, Worcestershire.

Sir Ffouke Lucy of Henbury.	Deeds of Johnathan Woodnoth. For Woodnoth's MSS. see Gower MSS. and B.M. Adds. 6032. Also Dodsworth 31.
Barons of Monte Alto, or Monthault.	Transcripts of Dodsworth and Vernon.
John Leland.—List of the more eminent families of Cheshire.	Transcribed by P.L. from the Herald's Book of Cheshire.
Danyell of Over Tabley.	Liber B (book of transcripts made by Danyell—MS. in quarto). Parchment roll—includes a feodary of Halton.
	Original deeds.
The Earl of Bridgewater.	Original deeds transcribed 1667—then in the custody of John Walsey of Lincoln's Inn. Also a book of transcripts of these deeds, made by Geffrey Wright of Nether Pever.
Mr. Legh of Swineyherd.	A book of transcripts—now in possession of Mr. Legh of High Legh.
Peter Dutton of Hatton.	Original deeds.
William Vernon of Hulme.	Transcripts of Grosvenour charters—originals mainly in the hands of Jeffery Shakerley.
Sir Richard Grosvenour of Eaton.	Book of transcripts (case of Scroope v. Grosvenour—original examined by P.L. in the Tower of London). Published by Sir N. H. Nicolas (London, 1832).
John Danyell of Deresbury.	Original deeds.
John Grimsdich of Grimsdich.	,, ,,
Lord Kilmorey.	73 deeds, relating to the family of Hallum; these were numbered and put in order by P.L.
Ralph Starkey of Neuton near Daresbury.	Original deeds.
John Mere of Mere.	Original deeds.—Now in the custody of Col. Langford-Brooke.
Leigh of Boothes.	Original deeds. Charters of this family, numbered 1–363, form part of the Hatton Wood collection at John Rylands Library:—listed (in manuscript) by F. Taylor, Keeper of Western MSS.
George Wilson.	Deeds relating to Nether Knotsford—now in the possession of General Wilson. (The Wilson collection has been listed.)[1]
William Vernon.	Notes on the Venables family, from the book of George Booth of Dunham Massey. Extracts from the work of George Booth were made by the

[1] National Register of Archives.

	third Randle Holme (Harl. MS. 2131); originals, at Dunham, belong to the Earl of Stamford. (Ormerod 1, p. xxx.)
William Vernon.	Transcripts relating to the family of Holford—originals with Lord Cholmondeley.
Peter Drinkwater.	Original deed, sent to P.L. by Jeffery Wright.
Lord Delamere.	Original deeds.
Sir Cecil Trafford.	Original deeds—now deposited in the Lancashire Record Office, Preston.
Mr. Andrewes of Oldfield Hall, Altrincham—a single deed.	(Andrewes was a servant of Lord Delamere of Dunham Massy.)
Sir George Booth of Dunham Massy.	Original deeds—now in the possession of the Earl of Stamford.
Downhill of Limme.	Original deeds.
Steele of Reddish in Limme.	,, ,,
Venables of Agden.	,, ,,
Legh of High Legh (West Hall).	,, ,,
John Gleeve of High Legh.	,, ,,
Edward Legh of Baggiley.	,, ,,
Mr. Pickeringe of Thelwall.	Original deeds relating to Limme.
Holt of Sale.	Original deeds.
Millington of Millington.	,, ,,
Richard Peacocke of Over Whitley.	,, ,,
Sir Thomas Brereton of Honford.	,, ,,
Thomas Merbury of Merbury.	,, ,,
Mr. Blackborne of Lachford.	,, ,,
Mr. Legh of Lyme.	Original deeds, now in the possession of Lord Newton, Lyme Park, Stockport.
Massy of Rixton.	Original deeds.
Francis Watson of Church Aston, near Newport, Shropshire.	The original deeds were in the custody of Robert Leicester, Sir Peter's son, who married Meriel, a daughter of Francis Watson.
Warburton (Arley).	Vernon's transcripts. Originals in the possession of: Lady Kilmorey. Sir Peter Leicester. Sir Thomas Aston. Sir Peter Brooke of Mere. Legh of High Legh (West Hall). Transcripts in Bostocke's Book (Harl. MS. 139).[1]
Dutton of Dutton.	The original charters of this family had passed to Lord Kilmorey and Lord Delamere.

[1] The marriage settlement of Peter Warburton & Elizabeth Mainwaring is now Mainwaring Ch. no. 238 at John Rylands Library.

	Downes of Shrigley, at Worth. Lady Kilmorey. Tabley House. Lord Delamere. Transcripts and notes were also obtained from Vernon.
Chedle and Ashley (Dutton family).	Originals were in the possession of Lord Delamere. Notes were obtained from Vernon.
Vernon MSS.	
William Vernon of Shakerley and Hulme.	For an account of his life see J. Varley, *A Middlewich Chartulary*, Chetham Soc. 105 (1941). A list of his extant MSS. is given op. cit., p. 13.

In addition to the manuscripts listed there, there is a volume of transcripts of Sir Thomas Aston's deeds, now preserved at Tabley House, which was made by Vernon.

A set of transcripts of a Vernon MS. exist in a book of Towneley's transcripts, preserved at Chetham's Library, Manchester. This is Liber Q, which is wrongly described as a manuscript at the Central Library, Manchester, in the introduction to *A Middlewich Cartulary*.

The originals of the Shakerley deeds were in Vernon's possession, as he married Shakerley's widow. The Vernon books of transcripts are now in the custody of Arthur Bryant.

Liber H. Venables of Kinderton.	Transcripts from the collection of Sampson Erdeswick—Dodsworth MS.
P num. 50.	Vernon's transcripts of the deeds of Sir Thomas Aston. For original Aston deeds see Liverpool University and the British Museum.
Liber B.	
Mainwaring of Peover.	For originals see R. Fawtier—*Handlist of Mainwaring Charters*, John Rylands Library, Manchester. Sir Peter also gives transcripts of charters not preserved among those in Rylands Library — see catalogue of the National Register of Archives.
William Harcourt of Winsham.	Original Charters.
Thomas Ravenscroft of Bretton.	,, ,,
Henry Mainwaring of Carincham.	,, ,,
Coppocke of Mobberley.	
Thomas Cotton of Cotton.	Original charters now in the possession of Lord Combermere.
Widow Glover of Picmere.	
Legh of High Legh (West Hall).	Original Charters.
Thomas Starky of Picmere.	,, ,,
Mobberley Parish Chest.	St. Wilfrid's parish Church, Mobberley.
Mallory of Mobberley.	Original Charters.
Sir Peter Brooke.	,, ,,
Lord Delamere of Dunham Massy.	,, ,,
Warburton of Partington.	,, ,,

Liber W.	Transcripts of the letter book of Mr. Legh of Adlington. The Adlington Book of Transcripts is now in the library of the Architectural, Archeological and Historic Society of Chester and North Wales.
Liber D.	
Collections of Sir Thomas Delves of Doddington.	
Thomas Earl Rivers.	Original deeds, now in the possession of the earl of Herrington.

APPENDIX IV

(i) CATALOGUE OF BOOKS

HERE followeth a catalogue of all the Bookes in my closet belowe; made 1671.

To find them particularly accordinge to the number at the side you must alwayes remember to reckon in every shelfe from the left hand to the right, sed non e contra: and in takinge downe a booke to reade, remember to put it up againe in the very same place to avoyd confusion.

Common Law Bookes in ffolio.

Z 1.

1. The Statutes at Large in two volumes to the 16th of James, printed 1618.
3. Fitz-Herberts Grand Abridgement, 1565.
4. Dyers Reports, Printed 1585.
5. Plowden's Commentaries.
6. Bracton; printed 1569: he writ under Kinge Hen. 3d.
7. Registrum Omnium Brevium, 1553.
8. Dalton's Office of Sheriffes.
9. Dalton's Justice of Peace, printed 1618.
10. Bolton's Justice of Peace for Jerland; 1638.
11. Cooke uppon Littleton, 3d Edition; Printed 1633.
12. Cooke uppon the Statutes; printed 1642.
13. Cooke's Pleas of the Crowne, and his Jurisdiction of Courtes: Printed 1644.
14. Cooke's Reports in English; printed 1658.
15. Cooke's Pleadings in his reports put out in English 1659.
16. Transactions in Parliament 3° Car. 1.
17. Articles of Government by Oliver Cromwell Lord Protectour 1653.
18. Certaine Acts of Parliament made in the tyme of the late Rebellion, 1648, 1649, &c.
19. Certaine Presidents of Indentures; a manuscript.
20. Acts of Parliament in the tyme of the Protector Oliver, 1656, 1657.
21. Crookes Reports from 24 Eliz. to 44 Eliz.; published by Grimstone 1661.
22. Crookes Reports sub Rege Jacobo: printed 1659.
23. Crookes Reports sub Carolo primo to the 16 Car. 1: published by Grimstone 1657.
24. Noy's Reports: 2 edition, printed 1669.
25. Statutes at large 21° Jacobi to 3° Car. 1.
26. Some Acts of 12 Car. 2.
27. All the Acts of 13° Car. 2.
28. The Acts of 14° Car. 2.
29. The Acts of 15° Car. 2.
30. The Acts of 16° & 17° Car. 2.
31. The Acts of 18° Car. 2.
32. The Acts of 19° & 20 Car. 2.
33. The Acts of the 22° & 23° Car. 2.
34. The Acts of 22° & 23° Car. 2.

Common Law bookes in Quarto & Octavo.

Z 2.

1. West's Presidents, first printed 1592.
2. The second part of West's Presidents, newly revised 1601.

3. Cowell's Interpreter, 1637.
4. Skene de Verborum Significatione: printed 1601.
5. The Repertory of Records, 1631.
6. Hamden's Case argued by Crooke & Hutton, 1641. About Ship-money.
7. Lord Chancellor Elsmore's Speech touchinge the Post-nati 1609.
8. Stanford's Pleas of the Crowne, in ffrench, 1560.
9. Stanford of the King's Prerogative in English, 1568.
10. Manwood of the Lawes of the fforrest.
11. Crompton's Jurisdiction of Courts, in ffrench, 1594.
12. Extenta manerii, of Surveyours & improvements, 1523.
13. Ffitz Herbert de natura Brevium: Printed 1635.
14. Lambard's Justice of Peace, 1599.
15. Lambard's Archion of the Courts of Justice in England. Printed 1635.
16. Exposition of Law-Termes. Printed 1635.
17. Ffortescue de laudibus legum Angliae; with Hengham's magna et Parva printed 1616.
18. Kitchin's Court Leet & Court Baron, 1580.
19. Wilkinson of the Office of Coroners & Sheriffes, & of a Court Leet & court Baron 1641.
20. The Complete Justice Printed 1661.
21. Wentworth's Office of Executors, 3^{d} edition 1641.
22. Ffinch of Law, 1636.
23. An old Booke of the Office of Justice of Peace, Sheriffes, Escheators, Constables &c. 1538.
24. Institutes of the Lawes of England, 1556.
25. Dr. & Student: Printed 1569.
26. Glanvill de legibus Angliae; printed 1604 & he lived tempore Hen. 2.
27. A table to Dyers Reports.
28. Statuta universitatis Oxoniensis, 1638.
29. Actions of Slaunder, & of arbiterments, by John Marsh, 1648.
30. Yonge's vade mecum for Justices of Peace, 1650.
31. Abridgement of Cooke's Reports by Sir Tho. Jerland 3^{d} impression 1657.
32. Hughe's abridgement of the Statutes from 16 Car. 1, to 14 Car. 2, 1663.
33. Shepherd's sure Guide for his Ma^{ties} Justices of Peace, 1663.
34. Sir ffrancis Bacon's readinge on the Statute of Uses, printed 1642. Lord Elsmere's Priviledges of the Chancery; printed 1641. A conference of both houses touchinge priviledge of subiects, discussed by Digges, Littleton, Selden, & Cooke, 1628.
35. The Prerogative of Parliaments in England, 1628, by way of Dialogue.
36. The liberty of the subiect against impositions by hakewill, by argument 7^{o} Jacobi. Printed 1641.
37. Articles of peace betweene England & Spaine, 1630.
    His Ma^{ties} manifestation of the Palatinate Cause.
    Observations touchinge the Offices of High-Steward & High-Constable of England, 1642.
    Earl of Strafford's Tryall, 1641.
    The King's Cabbinet opened; taken at Naseby-fight 1645.
38. Brevia Parliamentaria by Prinn. 1662.
39. A Table of Cooke's Reports. English, 1655.
40. The lord Cooke's charge at Northwich Assizes, 1607.
41. The Compleat Clerke of fformes & Presidents.
42. Swinburne of Testaments & Wills 1635.
43. Ridley's View of the Civill & Ecclesiasticall Law 2nd edition, 1634.

44. Iustiniani Institutionum libri 4, cum Accursii Glossis Lugduni, 1567.
45. The touchstone of Wills, 2nd edition, 1671, by Meriton.
46. Judge Davenports Abridgement of Cooke's Commentaries on Littleton. Printed 1652.

(ii) LIBRARY LIST. NN NUM. 60

1670. f. 47b. An Index, shewinge how my Bookes stand Placed in my Study.

A—Common Law bookes. in ffolio.
B—Common Law bookes.
C—Histories of England.
D—Historyes of England, larger folio.
E—fforraine Histories.
F—Histories of forraine Nations.
G—Divinity bookes.
H
I—Divinity bookes.
K—Divinity bookes.
L—Poets, Orators, & bookes of severall natures.
M—Divinity bookes.
N—Libri Philophici [*sic*] et Mathematici.
O—Manuscripts.
P—Histories of England.
Q—English & Latine Poems, and Histories of England.
P
Bookes of Severall natures.
Q
R—Bookes of the late Affaires of England.
Poems, & bookes of severall natures.
S—Schoole-bookes, & other bookes of severall natures.

An Alphabeticall Index, or Table, of all The Author's names, whose Bookes or workes are contained in my Study at Tabley, for The more speedy findinge of the Same Shewinge also where every Particular Booke standes Placed Therein: Made in November Anno Domini 1672: By mee Peter Leycester; as followeth—

Over against every booke, you have the Capitall Letter directinge to the shelfe in the Study, and the number directeth to the Place where such Particular booke standeth on that Shelfe accordinge to its order.

Alwayes remember to account a sinistra versus dextram from the Capitall Letter on the Shelfe: and so the number (if you miscount not) directeth to the Booke.

And whensoever you take downe any Booke in the Study, Be Sure to place it againe exactly in its proper Place whence it is taken: and for better direction to prevent mistakes I have inscribed in the beginninge of every Booke the Capitall Letter and Number thereof: by which you may know both the shelfe and place, where it ought to be put.

Certaine Manuscripts how placed, see immediately at the end of this followinge Table.

Certaine Pamphlets put out in the late warre betweene the King & his Rebellious Parliament: which see in the other Table of my bookes; made in July, 1672. Page 21, 22, & part of pa. 23, not noted in this booke.

A

Abdon de obsidione Lutetiæ: put out by Chesne, 1619, with other Authors	B num. 6.
Georgii Abbot sex Prælectiones Oxoniæ Habitæ, 1597	FF num. 1.
Addison of West-Barbary, or the Revolutions of ffez & morocco, 1671	V num. 35.
Dr. Allestrey's Sermons: Printed 1669: in folio	E num. 23.
Alciati Emblemata; printed 1548 in 8°	W num. 13.
Alley's Poore mans Library in folio: Printed 1571	E num. 40.
Allington's Sermons in octavo: Printed 1657	T num. 65.
Alstedii Mathematica, Editio 2°, in duodecimo: Herbornæ, 1623	CC num. ii.
Ailredus Abbas Risvallensis: put out by Cornelius Bee 1652, with other Authors	B num. 16.
Amesius de Consientia in duodecimo, 1631	S num. 66.
Amesius contra Remonstrantes in 12°, 1633	S num. 71.
Amesius his Bellarminus Enervatus, Tom. i^us et 2^us, Oxoniae 1629	DD num. i.
Amesius his Bellarminus Enervatus, Tom. 3^us et 4^us, 1629: in 12°	DD num. 2.
Antichrist Revealed, by William B^ppe of Ossory in Jerland, 1660	E num. 29.
Ammianus Marcellinus. See Marcellinus	
Amyraut's Traittee des Religions in 8°, 1631: in ffrench	FF num. 27.
Thomæ Aquinatis Summæ: two volumes in large folio: Printed 1604	E num. 4, 5.
Aquinas uppon the Sentences. See Thomas	
Apuley Opera omnia: Printed 1623	S num. 72.
Aretius in Epistolam primam ad Corinthios, 1579	V num. 37.
Aristotelis Opera Græce et Latine cum Synopsi Duvalli Printed at Paris 1654: fowre volumes in large folio	C num. 7, 8, 9, 10.
Aristotelis Opera græce et latine, Two volumes in 4°: Printed Aureliæ Allobrogum, 1607	GG num. 1, 2.
Will: Ashton's Toleration disapproved in 4°, 1670	FF num. 46.
Sir Thomas Aston's Survey of Presbytery in 4°, 1641	FF num. 12.
Aristophanis Comediæ XI, græce tantum: Printed 1600, in 12°	S num. 17.
Cornelius Agrippa de occulta Philosophia: Lugduni, 1550	FF num. 31.
Idem Agrippa de Vanitate of Scientiarum et de præ cellentia fæminei Sexus: 1653	S num. 20.
The same booke of the Vanity of Sciences in English: Printed at London 1569	X num. 49.
Alexander Aphrodisiensis de fato græce: Printed 1658	DD num. 40
Asser Menevensis: put out with other Authors out of Cambdens Library, 1603	B num. 14.
Augustini meditationes in 16°, Printed 1628	S num. 47.
William Austins devout meditations, 1637 in folio	G num. 52.
Austen's Treatise of ffruit-Trees, 1657	GG num. 57.
Articles of Peace betweene K. Charles 2^ond & the Dutch, &c. 1667	Y num. 34.
Articles of Peace betweene England & Spaine 1630	Y num. 63.
Articles of Government by Oliver late Protector, 1653	G num. 20.
Acts made in the tyme of the late Rebellion, 1648	G num. 21.

Acts of Parliament in the tyme of Oliver, 1656, 1657	G num. 23.
Articles of Rich. Stern, ArchBppe of Yorke in his Visitation, 1639	GG num. 35.
Antonini Itinerarium, Printed 1512	CC num. 49.
Articles, Iniunctions and Canons Ecclesiasticall, Printed 1671	FF num. 2.
Certaine Acts of 12° Car. 2	G num. 26.
Acts of Parliament 13° Car. 2	G num. 27.
Acts of Parliament 14° Car. 2	G num. 28.
Acts of Parliament 15° Car. 2	G num. 29.
Acts of Parliament 16° et 17° Car. 2	G num. 30.
Acts of Parliament 18° Car. 2	G num. 31.
Acts of Parliament 19° et 20: Car. 2	G num. 32.
Acts of Parliament 22° Car. 2 Acts of Parliament 22° et 23° Car. 2 Acts of 25 Car. 2 with Declarations & Speeches	G num. 33.
Acts 29. Car. 2	G num. 34.
Actions of Slaunder and of Arbiterments, by Jo. Marsh; 1648—	N num. 15.
Aphorismes of Emmanuel Sa the Jesuite, 1615	CC num. 5.
Apologia Ecclesiæ Anglicanæ, græce et Latine, by I.S., 1639	S num. 18.
Altare Christianum: see Pocklington.	
De Antiquitate Cantabrigiensis Academiæ: see Clay	DD num. 13.
De Antiquitate Oxoniensis Academiæ: see Twyne	Y num. ii.
Aulieus Coquinaria; or an answere to the Pamphlet of the Court & Character of K. James	N num. 29.
Aphorismes of Kinge James	S num. 51.
Apothegmes of Kinge James, Car. i, & others: 1658	T num. 63.
Aurelii Cassiodori Epitome, inter alios 1630	S num. 37.
Artificiall Changelinge, 1654	W num. 12.
Artificiall Embellishments, 1665	DD num. 26.
Acts of Parliament Touchinge Harth-money: Prin. 1668 with others	CC num. 41.
Aristippus: a Comedy by Randolph, 1630	W num. 36.
Academy of Complements, 1648	T num. 66.
Albumasar a Comedy: also Hic et ubique: by Ric. Head. 1663	GG num. 58.
The Amorous Warre: a tragick comedy	FF num. 43.
Adagiorum omnium apud Græcos, Latinos, Hebræos Collectio: Printed at ffrancofurt, 1646	L num. 2.
Adam out of Eden, or Adam Speed's husbandry, 1659	S num. 32.
An Answere To the booke stiled The Grounds of Contempt of The Clergy & Religion, 1671	N num. 14.
Alphonso fferrabosco's Lessons for 1, 2, & 3 Bas-Violes, 1609	H num. 47.
The same Alphonso's So(torn)s to the Lute & Bas-Violl	H num. 46.
Antiquity of the faith of the Church of England	S num. 33.
Astronomicall notes: a little booke	CC num. 18.
Will. Ashton's Toleration disapproved. 1670	FF num. 46.
Dr. Ashtons Cases of Scandall and Persecution, 1674	OO num. 5.
Antinoninus Imperator εἰς ἑαυτοῦ. with G(torn)kerus notes, Printed at Cambridge 1652	Q num. 2.
Antiquitates Universitatis Oxoniensis, 1674, see Wood	D num. 17.
Ayscue's Historie of the Warres & Traities between England and Scotland: printed 1607	Q num. 6.

Dr. Ashton's Seasonable Apology for the Clergy, 1676 — OO num. 31.
Animadversions uppon a Booke entituled ffanaticisme fanatically imputed to the Catholicke Church—&c: by a Person of Honour; supposed to be the late Lord Chancellour Hyde, Earle of Clarendon: The Second Edition, Printed 1674 — OO num. 18.
Antiquitates Apostolicæ by Dr. Cave: see Cave — H num. 57.
Bishop Andrews forme of Consecration of a Chappell: see Sparowe's Rationale in S. — OO num. 32.
Dr. Addison's present State of the Jewes, 1676 — CC num. 54.
Dr. Andrews his Sermons — L num. 16.
Adriani Turnebi Adversarior libri — L num. 40.

B

Sir Ffrancis Bacons readinge on the Statute of Uses, Printed 1642: bound up with other bookes — GG num. 47.
The Lord Bacon's naturall History in ffolio; 7th Edition, 1658 — B num. 33.
The rest of the Lord Bacon's workes put into Latine by Rawley, 1638 — B num. 34.
Ld. Bacon's History of Windes in English: Printed 1653 — N num. 17.
Nat. Bacons discourse of the Government of England, 1647 (a base booke) — W num. 49.
Sir Richard Bakers Chronicle of England to 1625, and Continued in this 4th Edition to the Coronation of Kinge Charles the Second: with a Short Catalogue in the beginninge of the King's Pedegree, and of the Present Judges, Nobility, and Bishops 1665: & of all the Baronets of England to 1663. Printed anno Domini 1665 — B num. 21.
Sir Richard Baker's meditations on the Lord's Prayer, 1636 — FF num. 36.
Ld. Bacon's ffelicity of Q. Elizabeth; his Apology for the Earle of Essex and Treasurer Burlegh's Advice to the Queene: Printed 1651 — S num. 68.
A Banquet of Jests, 1657 — CC num. 39.
Basta's Government de la Cavallerie, Printed 1616, in ffrench — A num. 37.
Ballioffergus by Dr. Savage of Balliol-Colledge, 1668 — X num. 70.
Balthasar de Curiali put into Latine by Clerke out of Italian, 1619 — DD num. 20.
Barclay's Euphormio: Amsterdam, 1658 — S num. 60.
Barclay's Parænesis ad Sectarios, Printed at Coloine 1638 — S num. 59.
Barclay's Argenis: at Leyden, 1659 — W num. ii.
Barclay's Argenis in English in large 4°, 2nd. Edition, 1636 — Y num. 64.
Sir Richard Barckley of the ffelicity of man, 1598 — GG num. 27.
Dr. Barnes his Supplication to Hen. 8, 1525 — CC num. 29.
Bartholini Anatomia: Printed at Hague, 1655 — GG num. 51.
Dr. Bates his Elenchus motuum nuperorum in Anglia, 1649 — S num. 58.
The same Elenchus Reprinted 1660 — X num. 51.
Dr. Bates Elenchi Pars Secunda, 1662 — W num. 38.
Baudii Epistolæ et Orationes: Printed 1647 — CC num. 17.
Dr. Baylies directions for health, & Preservation of the Sight; 6th, Edition, 1626 — FF num. 57.
Sir John Beaumont's Bosworth-field with other poems, 1629 — T num. 55.
Beaumont & ffletcher's Playes in large folio: Printed 1647 — H num. 6.

Bede de Historia Angliæ: Printed 1601, in 12°	S num. 1.
Berchorii Historia naturalis in ffolio	A num. 47.
Martini Becani Summa Theologiæ Scholastica in 8°, 1639: Tom. 1	EE num. 31.
Becani Tom. 2us et 3us: Printed 1639	EE num. 32.
Becani Tom. 4us et 5us: Printed 1640	EE num. 33.
Becani Tomus Sextus: Printed 1640	EE num. 34.
Dr. Baylies of the Conference betweene K. Charles 1, & the Marques of Worcester 1646: Printed 1649	T num. 64.
Bertii Breviarium, 1629: bound with Hues de Globis	S num. 73.
Bale de Scriptoribus Britanniæ, Printed at Ipswich, 1548	HH num. 34.
Bellarmini Opera: Printed Coloniæ Agrippinæ, 1615: Two volumes in large folio	E num. i, 2.
Beza's Notes & Translation of the Greeke Testament in ffolio: Editio 4a, 1588	E num. 13.
Bird's Treatise of the nobility of England in 8°, 1642	V num. 9.
Bolton's discourse of true happines in 4°, 6th. Edition, 1636	FF num. 58.
Bœtius de Consolatione Philosophiæ: Printed 1656	V num. 28.
Blunt's voyage into the Levant, 1634	DD num. 18.
Lord Bolton's Justice of Peace for Jerland, 1638; in folio	G num. 10.
Dr. Borlace of Lathom-Sparr in Lancashire in 8°, 1670	T num. 34.
Boyle's Seraphick-Love: 3d Edition, 1663	GG num. 43.
Bracton Printed 1569, in folio: he writ under Hen. 3d	G num. 6.
Bramhall's vindication of the Church of England from Schisme in 8° 1654	EE num. 38.
Bramhall's Castigation of Hobbes, 1657	EE num. 39.
Brierwood's Treatise of the Sabbath in 4°, 1631	FF num. 45.
Brierwood's Enquiries, Printed 1635	W num. 31.
Brierwood's Logicall Notes, et de meteoris, et de oculo: Printed 1637	EE num. 5.
Smith & Brierwood's Aditus ad Logicam, Oxoniæ reprinted 1656	S num. 6.
Brierwood de meteoris et de oculo published by Sixmith, 1631	P num. 35.
Brierwood de Ponderibus et Pretiis veterum nummorum, 1614—	W num. 44.
Richard Brathwait's English Gentleman, 1630	Y num. 30.
Johannes Bromton Jornallensis: Among the Decem Scriptores put out by Cornelius Bee, 1652	B num. 16.
Browne's Enquiry into Vulgar Errors, & his Religio Medici, and his Hydriographia in folio, Printed 1659	G num. 51.
Buchanan's Poems in 16°, Printed 1628	S num. 12.
Bucanan de iure Regni apud Scotos (a base booke), & also his Rerum Scoticarum Historia in 8°, Printed (blank)	X num. 8.
Buchler's Elegancyes, Printed 1650	CC num. 15.
Buchleri Thesaurus Poeticus, Editio 4°, 1652	N num. 23.
Bucholceri Index Chronologicus ad annum 1634	W num. 1.
Buck's History of Richard the third in ffolio, 1647	A num. 12.
Burgerdicii Idæa Philosophiæ Moralis, Lugduni Batavorum 1644	CC num. 13.
William Burton's Commentary on Antonini Itinerarium, so much as Concerneth Brettaine, in ffolio: Printed 1658	A num. 9.
William Burton's description of Leycestershire, 1622	A num. 13.
Burton's Anatomy of Melancholy, 3d Edition, 1628	G num. 50.

Will. Bucani Institutiones Theologicæ in 8°, Genevæ 1617	W num. 39.
Butler's Rhetoricke, Printed 1642	DD num. 37.
Margarini de la Bigne Bibliotheca Patrum. Tom. i, 2, 3: Printed at Paris, 1576	E num. 7.
Bigne's Bibliothecæ Tom. 7^{us}, et 8^{us}, in large folio, 1576	E num. 8.
Blondel des Livres Apocryphes, 1621: in ffrench	O num. 17.
Dr. William Barlow of the Conference at Hampton-Court, 1604	FF num. 53.
Theodor Bry's Historia Virginiæ, 1590	B num. 27.
The Baronets of England, Printed 1667, with other notes of myne in Manuscript of all the K$^{ts.}$ of the Garter. K$^{ts.}$ Bannerets, Knights of the Bathe in the Spare Paper thereof	V num. 2.
Britaine's of the Usurpation of the Dutch, 1672	FF num. 60.
Boscobel, on the King's Escape at Worcester-fight, Sept. 3, 1651, in 8°	T num. 15.
Biblia Polyglotta, 1657: Tomus Primus	D num. 2.
Also Tom. 2$^{us.}$	D num. 3.
Also Tom. 3$^{us.}$	D num. 4.
Also Tom. 4^{us}, or Esaias	D num. 5.
Also Tom. V^{us}	D num. 6.
Also Tom. VI^{us} et ultimus	D num. 7.
Part of a Greate Latin Bible in Parchment, written in a fayre Character with greate Gold-Letters in The beginninge of every booke (about the tyme of Hen. VI, as I coniecture) Contayninge The Proverbs & all the Prophets: given unto mee by old Mr. Dumbill of Limme	D num. 8.
A Greate English Bible in a very large ffolio. Printed 1585	D num. 9.
The Bible in Greeke: Printed 1518: in folio	E num. 14.
An English Bible with annotations in folio: Printed 1602	E num. 10.
Another Bible in Greeke in 8°: viz^{t} the Old Testament Printed Londini, 1653: This is the Translation of the Septuagint	EE num. 25.
Also the Apocrypha in Greeke, Pars altera; printed 1653 with the New Testament in Greeke; Amsterdam, 1639	EE num. 26.
A ffrench Bible in 8°: Printed at Amsterdam, 1635	EE num. 20.
A Latin-Bible: translated by Junius & Tremelius, and the New Testament translated by Be.a: Printed 1639	T num. 39.
An old Latin-Bible, Printed at Venice, 1483	HH num. 17.
Countesse of Bridgewater's Ghost, 1663	P num. 27.
De Rebus Gestis Brettaniæ libellus, to the raigne of Q. Eliz.	T num. 4.
Bagnall's Ghost by Gayton, 1655	GG num. 61.
The second booke of Battels, 1587	X num. 32.
Byrd's first set of Cautiones Sacræ in Latin for V voyces, 1589: V bookes	NN num. 40, 41, 42, 43, 44.
Byrd & Tallis Cautiones Sacræ for V & VI voyces 1575: in six bookes; but two are wantinge	
Bevin's short Instruction of the Art of Musick; 1631	NN num. 1.
Brydalls view of London: Printed 1676	OO num. 29.
Bromes Poems	OO num. 27.
Buckingham and Shaftsburye's Speaches in Parliam^{t}, 1675	Q num. 12.
Petrus Baptista de Bello Suecico, 1639	CC num. 53.
Bocalini translated by Carew Earle of Monmouth	L num. 18.
An English bible wth concordance & chatechisme	Q num. 20.

Borlace his history of the Irish rebellion	L num. 19.
Butlers Ghost 1682	OO num. 49.
The Tryall of Lawrance Braddon & Hugh Speke 1684	L num. 21.
Buchanani Poemata	LL num. 64.
Benjamin Johnsons works	H num. 10.

C

Cave's lifes of the Primitive ffathers. Printed 1677	H num. 68.
Cave's Antiquitates Apostolicæ: Printed 1676	H num. 57.
Catalogus Testium Veritatis Contra Papam, 1562	E num. 20.
Cambden's Britannia in Latine tertio Recognita in 4°, 1590	Y num. 13.
Cambden's Britannia in Latin with Maps, Editio 6ª in folio, 1607	B num. 3.
Cambden's Britannia Englished by Philemon Holland with maps, 1637	B num. 4.
Cambden's Annalls of Queene Elizabeth in Latine, ad annum 1589. Printed 1615	A num. 25.
Cambden's Annalls of Q. Elizabeth put into English by R.N., 1635	A num. 24.
Cambden's Remaines put out by Philpot: 5th Impression, 1636	Y num. 8.
Cambden's Greeke-Grammar. Printed 1662	T num. 44.
Cæsar de Bello Gallico cum notis variorum: una cum A. Hirtio, 1651	W num. 4.
Cæsaris Commentaria et A. Hirtii: Amsterdami 1650	S num. 7.
Cartwright's Annotations uppon Genesis, 1648	O num. 14.
Caussins Holy Court Printed 1650	H num. 50.
Carre's Dialogue at the Coffee-house, 1667	W num. 41.
Cameron's Prælectionum Tom. 2: in 4°. Salmurii, 1628	HH num. 6.
Cameron's Prælectionum Tom. 3us et ultimus cum nonnullis miscellaneis	HH num. 7.
Cameron's Seaven Sermons on John ca. 6, 1618: in ffrench	S num. 31.
Given to the Chappell Canons Ecclesiasticall ratifyed by Kinge James 1603: Printed 1628	X num. 41.
Cambridge verses on the Kings Returne, 1660	X num. 19.
Carpenter's Geography: 2nd Edition, 1635	GG num. 11.
Carpenteri Exercitationes: Editio 2ª Oxoniæ, 1622	T num. 26.
Carter's Analysis of Honour, 1660	T num. 12.
Carmina Proverbialia, 1654	DD num. 12.
Mary Carleton's Case, stiled the German Princesse, 1663	T num. 10.
Case's Ethicks: ffranco furti, 1625	GG num. 23.
Castanæi Distinctiones Philosophicæ: Lugduni Batavorum, 1651	DD num. 14.
Julius Capitolinus inter Alios Authores	W num. 10.
Catalogus librorum in Bibliotheca Bodleiana Oxoniæ, 1620	GG num. 66.
Aurelius Cassiodus inter Alios Authores	S num. 37.
Catallus &c.	W num. 21.
R.C. of his Ma.ties Propriety in the British Seas, 1665	T num. 11.
Cay de Antiquitate Cantabrigiensis Academiæ under the name of Author Londinensis, 1563	DD num. 13.
Catalogus Interpretum Scripturæ in Bibliotheca Bodleiana, 1635	FF num. 48.
A Catalogue of the Compounders, 1655	T num. 16.

Calvini Commentarii in St. John's Gospell & the Acts; 1564: in 4° — FF num. 17.
Cawdrey of Patronage, 1675 — Q num. 5.
Earle of Castlemaines Letter to the Kinge of the State of Candia, 1666 — S num. 27.
Earle of Castlemaine of some passages betweene the English & Dutch, by Tho. Prue, 1671 — P num. 33.
Chamberlaine's Present State of England, 1669 — DD num. 16.
Chamberlaine's second part of the Present State of England, 1671 — DD num. 48.
King Charles i, his *Εἰκών Βασιλική*: Printed 1648 — T num. 2.
The same put into Latine with the King's Tryall by Dr. Earle, 1649 — T num. 64.
Kinge Charles i his workes, with his life written by Perrinchiefe; Printed 1662: in Two greate volumes — C num. 3, 4.
Chaucer's workes: Printed 1598: he was borne 1346 — H num. 7.
King Charles the i his Conference with the Marquis of Worcester, 1646 — T num. 64.
Clavius Bumbergensis in Sphæram John: de Sacrobosco: Rome, 1581 — GG num. 14.
Claudiani Poemata in 32°: Printed 1616 — S num. 13.
Claudian cum Barthii Commentariis: ffrancofurti, 1650 — X num. 1.
Cleonard's Greeke Grammar, 1624 — V num. 51.
Clerke's Phraseologia puerilis: Editii 3ª, 1655 — DD num. 59.
Cleveland's Poems: Reprinted 1661 — DD num. 24.
Clerke's life & death of Jesus Christ, 1664; bound with others — FF num. 50.
Joh. Cluverii Historiarum totius mundi Epitome: Printed 1638 — X num. 5.
Culverii Introductio ad Geographiam in 32°: Amsterdami, 1629 — S num. 40.
Cooke's uppon Littleton: 3ᵈ Edition, 1633 — G num. 11.
Cooke uppon the Statutes: Printed 1642 — G num. 12.
Cooke's Pleas of the Crowne, and Jurisdiction of Courts: Printed 1644 — G num. 13.
Cooke's Reports in English: Printed 1658 — G num. 14.
Cooke's Pleadinges put into English, 1659 — G num. 15.
Cooke's Reports abridged by Sir Tho. Jerland: 3ᵈ Impression, 1657 — DD num. 4.
Ld. Cookes Charge at Norwich-Assises, 1607 — GG num. 46.
Cooke uppon Littleton abridged by Davenport: Printed 1652 — N num. 34.
A Table to Cookes Reports English, 1655 — V num. 45.
Coleman's Prosodicum Græcum: Printed 1640 — T num. 35.
Cocker's Coppy-booke, 1657 — P num. 45.
Cocker's other Coppy-booke — P num. 49.
Cornman: see Kornman.
Sir William Cornwalley's Essayes, 1632 — DD num. 51.
Cotgreve's Dictionary, ffrench & English: Printed 1611 — G num. 47.
Cotta's Tryall of Witchcraft, 1616 — FF num. 42.
Cotovici Itinerarium Hierosolymitanum, 1619 — HH num. 14.
Messala Corvinus his Epitome inter alios Authores — S num. 37.
Coulon's Lexicon Homericum, 1643 — T nu. 32.
Complete Gentleman. see Gentleman
Cowell's Interpreter of hard wordes in the Law, 1637 — X num. 23.

Abraham Cowley's Poems & workes: Printed 1668	H num. 13.
Archbishop Cranmer's defence of the Sacrament in 4°	FF num. 25.
Cromton's Jurisdiction of Courts; 1594: in ffrench	X num. 46.
Crooke's Reports from 24° Eliz. to 44° Eliz. Printed 1661	G num. 16.
Crooke's Reports under the raigne of Kinge James: Printed 1659	G num. 17.
Crooke's Reports under Kinge Charles 1, to 16°. Car. 1: Printed 1657	G num. 18.
Rich. Cumberland de Legibus naturæ, cum Refutatione Philosophiæ Hobbianæ, 1672	X num. 17.
Quintus Curtius cum notis variorum: Printed at Leyden, 1658	W num. 3.
History of the Cardinalls in English, 1670	A num. 39.
Martianus Capella libri 9: Printed 1577	G num. 55.
Cogan's Translation of the Travells of ffernand Mendez Pinto into English, 1653	L num. 12.
Casaubon's Commentaries on Strabo: Printed 1620	L num. 6.
Campani Æquatorium, an old Manuscript: FF num. 62: fayrly writ over	C num. 15.
Earle of Carlile's Embassy into Muscovy, 1663	V num. 1.
Earle of Castlemaine's Letter to King Charles 2nd of the State of Candia, 1666	S num. 27.
Ciceronis opera omnia: Printed 1632	Y num. 65.
Common Prayer-booke: see Prayer-Booke	
Reasons agt. the Covenant, 1647	GG num. 38.
The same Reasons in Latin, 1648: thought to be Dr. Sandersons	T num. 3.
Cornelianum Dolium: a Latin Comedy; 1638	DD num. 33.
A Collection of Articles, Iniunctions, Canons &c. of the Church of England, 1671	FF num. 2.
Contemplatio mortis et immortalitatis: see Montague	
A Conference of the State of England in order to the Designes of ffrance, 1668	EE num. 8.
The Conference at Hampton Court, 1604: put out by Dr. Barlow	FF num. 53.
The Present State of Conformity, 1662	N num. 36.
The Creation of Charles Prince of Wales, 1616: and Golden Bull, 1619	GG nu. 37.
The Entertainment of Prince Charles at Madrid in Spaine, 1623	GG num. 39.
Cases of Conscience about thinges Indifferent, 1662	S num. 22.
Christ's Birth mistimed	GG num. 48.
A Coale from the Altar, 1637, with the Holy Table, name & thinge	FF num. 16.
Cheshire Pedegrees: see Pedegrees	
Chronica Normanniæ. See Normannia	
Chester-Siege, 1645. see Passages	
Clavis Homerica: see Perkins	
A Compendious Chronology of the World; with Englands Remembrancer from 1600 to 1675	CC num. 52.
A Catalogue of the Parliament men, 1672 with the Baronets & Knights of the Bathe, made by Kinge James, & Car. 1	V num. 27.
A Catalogue of the Parliament-men, 1640	N nu. 49.
O. Cromwell's life & death, 1669 in 12°	N nu. 51.

Charles the 2^{onds} History, 1660: in 12^{o}	N nu. 53.
Cotton's History of Hen. 3^{d}, 1642	N nu. 40.
Court & Character of the Low-Countries and England, 1659	CC nu. 30.
The Character of Spaine and Italy, 1660	S nu. 16.
A briefe Computation of yeares & other things: Printed about 1574	S nu. 5.
Complete Clerke of formes & Presidents: 3^{d} Edition, 1671	X nu. 71.
Collection of Songes on the Rump-Parliament: see Songs	
Ld. Capel's Observations: Printed 1655	S nu. 62.
The Countrey-ffarme, 1616	L num. 11.
The Churche's Estate from the Apostle's tyme to 1564: in ffrench	O nu. 18.
Corkine's Aires to singe to the Lute & Bass-viol, with Lessons for the Lyra viol, 1610	H nu. 47.
Child's Choyce-musick to David's Psalmes for 3 voyces with bass continuo, 1656. 4 bookes	NN 36, 37, 38, 39.
Citharen-Lessons: see Psittyrne	
Court-Ayres for Violls; 2 parts; Printed 1655 with a thorough base; 3 bookes	NN nu. 20, 21, 22.
Cooperario's Six Italian Ayres: 3 parts with a thorough base ffoure slender bookes in manuscript	
Campion with other Histories of Jerland	H nu. 54.
Comines: see Philip Comines	
Comber on the Offices or Prayers of the Church: Printed 1672	OO num. 22.
Comber on the Communion-Office. Printed 1675	OO num. 23.
Cusack's Tryall, 1675. See in P. the Grand Pyrate.	
Earle of Clarendon's View of Hobbe's Leviathan: printed at the Theater 1676	Q nu. 13.
The Courtiers callinge, 1675	CC num. 55.
Cooper's Hill latine redditum, by Pengreys, 1676	V nu. 65.
The foundation of the Colledges in Oxford and Cambridge, 1651	X num. 3.
The Counter Scuffle	Q num. 18.
Colemans triall	L num. 13.
The game of Chesse	CC num. 62.
the seaven Champions of Christendom	Q num. 21.

D

Daniell's History of England; continued by Trussell to Hen. 7th; & with the Lord Bacon's History of Hen. 7th: Printed 1641	A num. 6.
Daniell of Daresberye's Jewish Unction, 1651 (a simple booke) in 16^{o}	S num. 36.
Dalton's Justice of Peace: Printed 1618	G num. 9.
Dalton's Office of Sheriffes	G num. 8.
Davenant's Poem on the King's Returne, 1660: bound with other bookes	X num. 18.
Davenport's Abridgement of Cooke uppon Littleton: Printed 1652	N num. 34.
Davye's Welsh-Dictionary, 1632	G num. 49.
Dallington on Guicciardines Aphorismes, exemplifyed with History, 1613	G num. 44.

Demosthenis Orationes Olynthiacæ et Philippicæ; græce et latine: Prin. 1620	CC num. 1.
Dent on the Revelation 1628	DD num. 5.
Didymi Scholiæ on Homer; Printed 1656	HH num. 1.
Dictus Cretensis, et Dares Phrygius, de Bello Troiano in 32°: Printed 1630	S num. 44.
Ld. George Digby & Sir Kenelm Digbie's Letters, 1651	N num. 37.
Digges his Everlasting Prognostication, 1576	GG num. 49.
Digges his Techtonicon of measuringe land, 1556: bound with other bookes	GG num. 12.
Dier's Reports: Printed 1585	G Num. 4.
A Table to Diers Reports, 1588	S num. 35.
Diodorus Siculus his Bibliotheca Historica, græce et Latine: Put out by Rhodoman, 1604	L num. 8.
Diogenes Laertius de vitis Philosophorum: græce et latine: 1558	W num. 27.
Doctor and Student: Printed 1569	CC num. 37.
Dodrige on the Principality of Wales & Earldome of Chester: Printed 1630	Y num. 5.
Dr. Donne's Poems; 1633	GG num. 36.
Donne's Paradoxes; 1633. bound with other bookes	W num. 36.
Dodona's Grove by J.H. Esq, 1640	H num. 18.
Dow's Answere to Burton touchinge Innovations, 1637	X num. 64.
Downam on Receivinge the Sacrament, 1645	FF num. 28.
Bishop of Downe's Speach in Jerland, 1638; put into Latin by Portusius his chaplaine, 1639. Touchinge the Scotch-Rebellion	Y num. 17.
Dubartas Translated into English by Silvester: Printed 1633	H num. 5.
Dudon: amonge the Authors put out by Andrew du Chesne 1619	B num. 6.
Dugdale's History of Drayninge, 1662	B num. 8.
Dugdale's History of St. Pauls-church in London, 1658	B num. 9.
Dugdale's History of Warwickshire, 1666	B num. 10.
Dugdale's Monasticon Anglicanum: vol. i. Printed 1655	B num. 11.
Dugdale's Monasticon: vol. 2. Printed 1661	B num. 12.
Dugdale's Origines Judiciales: 2nd. Edition, 1671	B num. 13.
Dugdale's Catalogue of all the Lord Chancellours to 1671	A num. 18.
Drayton's Poems, 1627	
Divorce discussed, uppon the Lord Rosse's Divorce, 1673	CC num. 46.
Dugdale's Monasticon: volume 3d. Printed 1673	C num. 16.
Dugdale's Baronage of England, Tome i: Printed 1675	C num. 18.
Dugdale's Baronage Tome 2, and Tome 3: Printed 1676	C num. 19.
Drexelius de vitiis Linguæ, 1634	S num. 9.
Dryden's Mock-Astrologer, 1671	X num. 69.
Dupert's Translation of our Common-Prayer-booke into Greeke, 1665	EE num. 21.
Durell on the Government of the Reformed Churches, 1662	FF num. 8.
Radulfus de Diceto Londinensis: put out with others by Cornelius Bee, 1652	B num. 16.
The Dutch-Dammages Answered, 1664	X num. 20.
Dreames expounded, 1639	S num. 67.
The Different Wits of Men, 1669	N nu. 26.
The Dancing-Maister, printed 1659	

A Detection of Sam. Harshnets lyinge discovery ag^{t}· Jo. Darrell, 1600	X nu. 15.
Sr. John Davys History of Jerland	HH nu. 29.
The Dutch-Hudibras, 1674	P num. 53.
Degge's Parson's Counsellor. Printed 1676	OO num. 33.
The whole duty of man	Q num. 22.

E

Eadmerus history with Seldens Notes, put out 1623	B num. 2.
Earle's Characters: 6th Edition, 1630: put out by Blount	S num. 25.
Earle's Translation of Kinge Charles his booke into Latin, 1649	T num. 64.
Eaton & Knowles, their Debate about Christ's Divinity, 1650	FF num. 41.
Elenchus motuum nuperorum in Anglia by Dr. Bates, 1660	X num. 51.
Elenchi pars secunda by Dr. Bates, 1662	W num. 38.
Ld. Ellesmere's Priviledges of the Chancery, 1641: among other bookes	GG num. 47.
Lord Ellesmere's Speech Touchinge the Post nati, 1609	GG num. 32.
Emmæ Reginæ Encomium: put out with other bookes by Andrew du Chesne, 1619	B num. 6.
England's Glory, 1660	T num. 13.
England's Triumph, or a more exact history of the King's Escape, 1660	X num. 59.
England's black Tribunall: Printed 1660	X num. 60.
Epicteti Enchiridion, et Cebetis Tabula, in 32^{o}: græce et Latine: Printed 1607	CC num. 8.
Erasmi Colloquia: Printed 1653	V num. 31.
Erasmus de Lingua: Printed 1649	S num. 14.
Erasmus his Moriæ Encomium; cum Listrii Commentariis: Printed 1648	S num. 15.
Erasmus de Copia Verborum: Printed 1645	CC num. 9.
Erasmus de Conscribendis Epistolis: Printed 1636	S num. 56.
Erasmi Colloquia: Printed at Amsterdam, 1650	CC num. 22.
Esop's ffables paraphrased in English verse by Ogylby, 1651	Y num. 41.
Esop's ffables in English verse by Willan, 1650	T num. 41.
An old Esops ffables in Latin-verse: Printed 1482	H num. 40.
Esopi ffabulæ, græce et latine: Printed 1605	CC num. 19.
Esopi, et aliorum ffabulæ in Latin: Printed at Cambridge, 1658	DD num. 42.
Ethelwerdi Chronicon: bound with others, & put out by Sr. Hen. Savill 1601	C num. 5.
Euclid's Elements of Geometry in English, by Leeke & Serle, 1661	G num. 41.
Eusebii Ecclesiasticæ Historiæ lib: decem, cum Valesii annotationibus, 1659	C num. 14.
Eustathii Ethica: Londini, 1658	T num. 24.
Eutropii Epitome cum aliis: Printed at Amsterdam, 1630	S num. 37.
Exposition of Law-Termes: Printed 1636	X num. 11.
The English Rogue, 1667	V num. 42.
The Second Part of the English Rogue, 1668	EE num. 13.
Erasmus his militis Christi Enchiridion: Printed 1542	CC num. 7.
Ermusas on the Sayinges of Kings & Philosophers in English: an old booke	N nu. 28.

Europæ Speculum: Printed 1632 — Y num. 26.
English Gentlemen by Brathwayt: see Brathwait
Εἰκών Βασιλικὴ by Kinge Charles i, 1648 — T num. 2.
Εἰκωνοκλάσης, 1650. (a base booke) — Y num. 36.
Εἰκωνακλασὸς, 1651: an answere to that base booke — Y num. 37.
History of the Government of England, from the murther of Car. 1, to the restoringe of Car. 2, 1660 — N num. 35.
The Embassy of the Earle of Carlile, 1663. see Carlile
Englands Rembrancer see a Compendious Chronologye &c.
Description of the X Roman Emperors & their Coines, 1548, in Italian — X nu. 50.
Extenta Manerii, 1623 — W num. 47.
Etherege his Comedy, She would if She could: 1668 — X num. 68.
An Elegy on the death of Mary Princesse of Orange, 1660 — X num. 18.
The Expert ffarryer by Tho. Gray Esq., 1639 — G num. 43.
L'Histoire Ecclesiastique: put into ffrench by Burgoine, 1565 — E nu. 19.
East's 7th. set for violls, of 3 & 4 parts, 1638: 4 bookes — NN num. 49, 50, 51, 52.
The Present State of England, 1669 by Chamberlaine: see Chamberlaine
ENΩTIKON de causis et remediis dissidiorum by T.S. 1675 — Q num. 10.
Edmonds Comentaries of Julius Cæsar 1677 — G num. 25.

F

ffabian's Chronicle: Printed 1559 — A num. 14.
ffamiani Stradæ Prolusiones: Editio 3a, 1625 — EE num. 19.
ffanshaw's Poems, 1648 — Y num. 40.
ffarnaby's Select Greeke Epigrams: Printed 1650 — CC num. 32.
ffarnaby's Index Rhetoricus: Printed 1667 — DD num. 41.
The ffatall Contract; a Tragedy: — W num. 35.
ffaventinus his Defence of Scotus de Rebus Philosophicis: Editio 4a, 1622 — HH num. 11.
ffernand Mendez Pinto's Travells Englished by Cogan: see Cogan — L num. 12.
fferne's Glory of Generosity & Lacies nobility: Printed 1586 — Y num. 1.
fferus in Evangelium Johannis, 1536; et in Epist. Johannis, 1545. Printed 1565 — O num. 13.
ffinch of Law, 1636 — DD num. 60.
ffestus Hommius. See Hommius
ffeltham's Resolves: 4th Edition, 1631 — GG num. 26.
ffisher's Arithmeticall Questions, 1634 — N num. 20.
ffisher's Poems, 1663 — P num. 32.
ffitzHerbert's Grand Abridgement of the Law, 1565 — G num. 3.
ffitzHerbert de Natura Brevium: Printed 1635 — EE num. 2.
fflavell's Demonstrations: Oxoniæ, 1651 — T num. 49.
fflavius Vopiscus: see Vopiscus
fflores Historiarum: see Matthew of Westminster
fflores Postarum: Printed 1611 — CC num. 10.
fflorios Dictionary, Italian and English; Printed 1611 — G num. 46.
fflorentius Wigorniensis; Printed 1592: he writ to 1118 — Y num. 2.
Lucius fflorus cum notis Variorum, et cum libro Ampelii: 1660 — W num. 23.

Lucius fflorus cum Studii Commentario: Oxoniæ, 1661	N num. 11.
Lucii fflori Epitome: inter alios	S num. 37.
fformulæ Oratoriæ: Editio 7ª, 1653	DD num. 39.
fforbesii Irenicum: Printed 1629	GG num. 20.
ffortescue de laudibus legum Angliæ: Printed 1616	T num. 43.
ffoulis History of Romish Traisons, 1671	A num. 34.
ffragmenta Regalia: see Nanton	
The Comicall History of ffrancion in English: Printed 1661	H num. 20.
ffroissart and Philip Comines Epitomized. See Sleidan	
fframpton on things brought from the West-Indies, & use of them, 1577	W num. 30.
ffranklin's Orthotonia: Editio 3ª, 1650	S num. 26.
Ben. Francis Poems, 1660	P num. 26.
Feroa contayninge seaventeene Ilands described by Jacobson, but Englished by Sterpin: now subiect to the Kinge of Denmark: Printed 1676	CC num. 51.
ffromundi Meteorologica: Oxoniæ, 1639	DD num. 47.
ffrontini Stratagemata cum notis Keucherii: Amster. 1661	W num. 32
ffuller's Church-History of Brettaine, to 1648	B num. 22.
ffuller's Worthyes of England, 1662 (full of mistakes)	B num. 24.
ffuller's History of the Holy warre, & Holy State: Prin. 1651	A num. 15.
ffuller's Description of Palestine or Judea, 1650	B num. 40.
ffeuguereius his Thesaurus Locorum Communium: Printed 1601	E num. 11.
ffraus honesta: a Latin Comedy by Stubs of Trinity Coll. 1632	S num. 64.
The Foundations of the Universities & Colledges of Oxford & Cambridge, with some notes of my owne	X num. 3.
Historicall Collection of Memorable Accidents in France, 1598	A num. 38.
Cronique de Rois de France, 1570	N num. 47.
A sure Guide to the ffrench-Tongue	O num. 5.
Ferrabosco: see Alphonso	
Reasons for the Reduction of France, 1678	Q num. 17.
Sr. Foplin Flutter a play	A num. 30.
ffreeholders grand Inquest by ffilmer	OO num. 48.

G

Galtruchius his Poeticall Histories, put into English 1671	O num. 10.
Garthii Lexicon Latino-Græcum: Printed 1613	O num. 3.
Dr. Gawden concerninge the Covenant, 1660	GG num. 41.
Gazæi Pia Hilaria: Printed 1657	T num. 42.
The Gentleman's Callinge, 1660	P num. 31.
The English-Gentleman by Brathwayt, 1630	Y num. 30.
The Complete Gentleman by Peacham: 2ond impression, 1634	Y num. 31.
Gerard's History of Plants: Printed 1636	L num. 5.
Auli Gellii noctes Atticæ: Amsterodami, 1651	S num. 24.
Gervasius Monachus Dorobornensis Historicus: inter alios	B num. 16.
Gulielmus Gemeticensis, Gesta Normannorum, Gesta Stephani — Put out by Andrew du Chesne with other Authors, 1619	B num. 6.
Gemeticensis from Cambden's Coppy, inter alios 1603	B num. 14.

Gildas, cognomento Sapiens, de Excidio Bretanniæ: Printed 1568	S num. 3.
Gillibrand on the magnetique Needle, 1635; with other bookes—	GG num. 12.
Giraldus Cambrensis: inter alios out of Cambden's Library, 1603.	B num. 14.
Glanvill de Legibus Angliæ: Printed 1604: he lived tempore Hen. 2	S num. 19.
Glossographia, or a Dictionary of hard words, 1661	O num. 4.
Goclenii Astronomia et Astrologia, 1515	N num. 45.
Golii Ethicorum Aristotelis Epitome: Argentorati, 1621	DD num. 46.
Gouldman's Latine Dictionary, beinge a comprisall of Thomasius, Ridar, Holland & Holy-Oake: Printed 1664	HH num. 19.
The Antiquity & Excellency of Globes, 1652	GG num. 44.
ffrancis Godwin, B^{ppe} of Hereford, his Annalls of Hen. 8, Edw. 6, & Q. Mary in English; Printed 1630	A num. 23.
The same Godwin's Annalls in Latin: Printed 1628	FF num. 56.
The same Godwin's Catalogue of the Bishops of England, 1601	FF num. 59.
Tho. Godwin's Jewish & Roman Antiquities: Printed 1658	W num. 9.
Tho. Godwin's Synopsis, 1616	FF num. 1.
Grimston's Translation of the History of Polybius into English, 1634	A num. 48.
Grimston's Translation of the History of the Grand Seigneur and of the Kinge of China, 1635	W num. 29.
Grounds of the Contempt of the Clergy and Religion, 1670	P num. 28.
Gregory of Christ-Church his notes on some passages of Scripture 1646	FF num. 54.
Gregory's Posthuma, 1650	FF num. 37.
The Gentile Sinner, 1660	DD num. 10.
The Government of England from the murther of Charles i, to the Restoringe of Charles 2^{ond}, Printed 1660	N num. 35.
God and the Kinge: Reprinted 1663: Inter alios	P num. 17.
Tho. Godwin his Moses and Aaron	Q num. 41.
Gualter in Catholicas Epistolas, 1588	DD num. 29.
Sr. Anthony Guevara's Epistles, translated into English by Hellowes	X num. 30.
Sr. Anthony Guevara's Diall of Princes, Englished by Sr. Tho. North 1619	A num. 40.
Guicciardine's Aphorismes, exemplifyed with history by Dallington 1613	G num. 44.
Guillim's display of Heraldry in Colours: 3^{d} Edition, 1638	A num. 11.
Gunter on the Sector, 1624	GG num. 10.
Guy of Warwick in verse by Sam. Rowland: Printed 1667	GG num. 60.
Gumble's life of Generall Monke, 1671	V num. 22.
Sr. Anthony Guevara's lifes of ten Emperors of Rome in English, 1577	FF num. 51.
Gregorie's Sermon on the Returne of Car. 2, 1660: with the verses of his schollars of Woodstocke	X num. 21.
Gospell-Festivalls vindicated, 1650: see Vindication in V	
G rdus his mercurii Gallo Belgici Tomi Decimi. lib. 1, 1614	N nu. 43.
Graye's Expert ffarrier, 1639	G nu. 43.
Gibbon's ffantasies for 3 violls: 3 bookes	NN num. 29, 30, 31.
Gatakeri notæ in Antoninum Imperatorem: see Antoninus	

H

Dr. Hackwill's David's vow for Reformation, 1622	V num. 18.
Dr. Hackwill's Apology for the Government of the World: 3d Edit. 1635	A num. 41.
Hackwills Argument against Impositions, 7° Jacobi: Printed 1641	X num. 31.
Haines his Pax in terra, 1639	EE num. 44.
Hall's Chronicle from Hen. 4, to the end of Hen. 8	A num. 8.
Hall's Table of the Kings, Bishops & Earles of England, 1641	T num. 19.
Dr. Hall's workes, 1625	A num. 33.
Hamden's Case about Shipmoney argued by Crooke & Hatton, 1641	X num. 16.
Dr. Hamond's Annotations on the New Testament: 2ond Edition, 1659	E num. 3.
Hamond's letter to Dr. Sanderson, 1660	EE num. 15.
Dr. Hammond's X Sermons: Printed 1649	Q num. 7.
Hamor's Relation of the Present State of Virginia to 1614	Y num. 39.
Lord Hatton's Prayers uppon the Psalmes, 1655	EE num. 19.
Lazarus Haward's Charges of the Crowne of England, 1647	Y num. 9.
Sir John Harrington's Epigrams, 1625: with others	T num. 23.
Hawenreuteri Physicorum Aristotelis Compendium: Cambridge, 1594	T num. 48.
Harding's Chronicle in verse to Edw. 4 &c. Printed 1543	Y num. 20.
John Haywoods Answere to Dolman concerninge Succession of Princes, 1603	X num. 39.
Sr. John Haywards History of Hen. 4, 1642	N num. 40.
Heath's Glories of Kinge Charles the 2ond, 1662	T num. 14.
Heath's Poems, 1650	N num. 22.
Heinsii Exercitationes in Novum Testamentum: Editio 2a, 1640	HH num. 16.
Helvici Chronologia: Printed 1629	B num. 31.
A Helpe to Discourse: Edition 8th, 1630	DD num. 35.
Hemmingi Catechismus, 1563	EE num. 40.
Ld. Herbert's History of Hen. 8th, Printed 1649	A num. 22.
George Herbert's Divine Poems: 4th Edition, 1635	T num. 29.
Tho. Herbert's Travells into Africa and Asia: Printed 1638	A num. 43.
Hero and Leander, 1669	V num. 17.
Herodoti Halicarnassei Historia, græce et latine, cum vita Homeri: una cum excerptis *E* Ctesis libris Printed at Geneva, 1618	L num. 7.
Heroinæ, or the lifes of seaven brave weomen, 1639	DD num. 43.
Hanmers History of Jerland with others	HH num. 54.
Henry the 8ths. booke against Luther, Printed 1521	HH num. 35.
Hyde Earle of Clarendon's Animadversions uppon a booke stiled ffanaticisme fanatically imputed to the Catholick-Church: 1674	OO num. 18.
Hesiod & the Minor Greeke-Poets: Cantabrigiæ, 1652	W num. 37.
Hesychii Lexicon: Printed 1668. cum notis variis	HH num. 10.
Heures de Recreation: ffrench	S num. 57.
Dr. Heylin's life of William Laud Archbishop of Canterbury	A num. 29.
Dr. Heylin's History of the Presbyterians, from 1536 to 1674	A num. 30.
Dr. Heylin's History of the Reformation of the Church of England, 1670	A num. 31.

Dr. Heylin's Cosmography: 2ond Edition, 1657	B num. 23.
Dr. Heylin's History of the Sabbath: 2ond Edition, 1636	FF num. 11.
Dr. Heylin's History of Saint George, with all the Kts. of that order to the yeare 1630	Y num. 12.
Dr. Heylin's notes on ffuller's Church-History, 1659	W num. 43.
Heylin's Geography: 4th. Edition, 1629	P num. 13.
Dr. Heylin's Continuation of Hall's Table of the Kings, Bishops, and Earles of England; with a Catalogue of all the Baronets of England, to the yeare 1670	T num. 21.
Dr. Heylin's of the Judgement of v controverted points, 1660	P num. 14.
The Same Table of Robert Hall continued to 1652, with a Catalogue of the Baronets to 1646, and the Knights made by Kinge Charles 1; printed 1652. No author named	T num. 20.
Hickman against Dr. Pierce's Positivity of Sinne, 2ond Edit. 1659	DD num. 55.
Hill's Traitise Concerninge the Propagation of the Soule 1667	EE num. 24.
Historicall Collections: see Rushworth, 1569	B num. 26.
History of Independency. see Independency	
Hieron's Lectures on Psalme 51, 1617	O num. 23.
Tho. Hobbes his Translation of Thucydides into English, 1629	A num. 35.
Hobbe's Leviathan in English: Printed at London, 1651	H num. 51.
Hobbes Leviathan in Latine: Amstelodami, 1670	HH num. 25.
Hobb's Creede Examined, 2ond Edition, 1671	EE num. 16.
Hollinsheds Chronicle: vol. 2 from 1066, to 1576 and thence Continued to 1586	C num. 1.
Hollinshed's first Volume of his Chronicle: Printed 1577	A num. 7.
Philemon Holland's Translation of Cambden's Britannia into English, 1637	B num. 4.
Homer's Workes græce et latine: Printed at Basile, 1567	H num. 8.
Homer in English verse by Chapman; 1616	H num. 9.
Homer's workes græce et latine, cum Scholiis Græcis Didymi, 1656	HH num. 1.
Homer's Iliads: gr. & Lat. Printed 1664	V num. 26.
Homer a la mode, 1665: a little Pamphlet in verse	CC num. 31.
A Poem of Huntinge by Wase: see Wase	
Harshnet's lyinge discovery: see Detection	
Hollyband's Dictionary: ffrench & English, 1593	P num. 16.
Tho. Heywood's History of Weomen, 1624	A num. 42.
Heroa Parisbis or the wall flower	E num. 21.
ffesti Hommii Disputationes Theologicæ: Editio 3a, 1639	DD num. 32.
Hooker's Ecclesiasticall Policy	E num. 24.
Hoole's Grammar for the Latine Tongue, 1649	P num. 36.
Horace, with Juvenal & Persius: Printed 1636	S num. 76.
Horace cum Commentariis Selectissimus, 1658	W num. 19.
The Horne Exalted, 1661	P num. 23.
Tho. Howard, Earle of Arundell, his Travells by Crowne, 1618	X num. 66.
Howell's familiar Letters; 2ond Edition, 1650	X num. 56.
Howe's Continuation of Stowe's Chronicle to 1631: see Stowe	B num. 5.
Roger Hoveden, Henry Huntington } put out by Sr. Hen. Savill with others, 1601	C num. 5.

The Dutch Hudibras, 1674	P num. 53.
Hudibras: the first part, 1663	N num. 5.
Hudibras, the 2ond part, 1664	N num. 6.
Hudibras, the 2ond part by a false Author, 1663	N num. 7.
Hudibras, the 3 part, 1678	P num. 54.
Hughes Abridgement of the Statutes from 16 Car. 1, to 14 Car. 2	X num. 12.
Hues de Globis: ffrancofurti, 1627	S num. 73.
Hues de Globis, Englished by Chilmead 1659	V num. 44.
Hunt's new Recreations, 1631	S num. 74.
The Husband forced to be iealous, 1668	V num. 29.
Hibernicus his fflores Doctorum, 1622	CC num. 24.
Ld. Hollis defence of the Jurisdiction of the house of Lords, 1669	DD num. 21.
Hick's Oxford-Jests, 1670	DD num. 23.
Herle's Worldly Policy & Christian Wisdome, 1655	DD num. 19.
Hall's Peace of Rome collected from Bellarmine & Navarre, 1609	X num. 63.
Hill's Defense of Christ's Descent into Hell, 1592, with others	FF num. 26.
History of the Troubles of Hungary in English, 1600	A num. 45.
A Helpe to discourse; 8th. Edition, 1630	DD num. 35.
Humes Musicall Humors, 1605 Humes Poeticall Musicke, 1607	H num. 47.
Hadriani Pratum Musicum, 1584	H num. 49.
Holborne's booke for the Psittyrne, Printed 1597	P num. 47.
Hilton's Catches: 2ond Edition, 1658	P num. 39.
Hobs his his [*sic*] history of the civil warrs of England	OO num. 46.
Hobs de mirabilibus Pecci	OO num. 4.
Sr. Mathew Hales Ld. Cheife justice of England his nativity	Q num. 38.
Hudibras the fourth part 1682	OO num. 52.

I

Dr. Jackson of the Divine Attributes, 1628: 1 part	FF num. 24.
Dr. Jackson's 7th. booke uppon the Creede, 1634	FF num. 34.
Kinge James workes: Published by Andrewes Bishop of Winchester, 1616	B num. 1.
Kinge James his Aphorismes	S num. 51.
Jamblicus de mysteriis Egyptiorum, &c: cum quibusdam Procli, Porphyrii, Pselli, et Mercurii Trismegisti: Printed 1570	S num. 54.
Jansenii Commentarii in Concordiam Evangelicam: Partes 1111: Printed 1606	E num. 66.
Jewell against Hardinge, 1567	E num. 39.
Judge Jenkin's workes, 1648	S num. 69.
Ignoramus; a latin comedy by Ruggle of Clare-Hall, 3a Editio, 1658	CC num. 28.
Ingulphus: put out by Sir Henry Savill with other Authors, 1601	C num. 5.
The History of Independency, 1648	Y num. 18.
Another of the Same Reprinted with some Small Additions, 1661	Y num. 19.
Institutes of the Lawes of England, 1556	CC num. 38.

The Legend of Captaine Jones, 1656 — N num. 4.
Joh. Jonstoni Historia, 1644 — S num. 48.
Jornandes Epitomized with others: Printed 1630 — S num. 37.
Jordan's Poems, 1663 — T num. 59.
Dr. Jorden of Naturall Bathes & Minerall Waters, 1631 — GG num. 64.
Josephus Englished by Lodge: Printed 1632 — A num. 50.
Isaacsons Hispalensis Episcopus Originum libri XX: set out by Wulcanius; and printed 1577 — G num. 55.
Isocratis Orationes et Epistolæ; græce et Latine: Genevæ, 1651 — T num. 17.
Pauli Jovii Descriptio Bretanniæ — X num. 26.
Iter Boreale by Wilde, 1660: with others — X num. 18.
Rachel Ivon's Latin Poem on the King's Returne, 1660 — H num. 14.
The Complete Justice: Printed 1661 — CC num. 40.
The Jurisdiction of the House of Peers assented by Hollis, 1669 — DD num. 21.
The Pastoralls of Julietta, Englished by R.T. 1610 — H num. 19.
Justini Historia cum notis variorum, 1650 — W num. 5.
Justini Historia, a Little booke: Printed 1626 — S num. 43.
Juvenal & Persius cum notis variorum, 1648 — W num. 24.
Ignatii et Polgearpi Epistolæ, put out by Usher, 1644 — FF num. 3.
Index Expurgatorius, 1571 — CC num. 6.
Idol of the Clownes: Printed 1654 — N num. 31.
Iustiniani Institutionum libri 4 cum Accursii Glossis, 1567 — X num. 42.
Johannes Prior Hagustaldensis: put out with others, 1652 — B num. 16.
Jornandes de origine Gotherum, de Regnorum Successione, cum notis Vulcanii Brugensis, Lugduni Batavorum, 1597 — HH num. 31.
Iniunctions. See Articles
Jacobson's Description of fferoa. See Feroa
Ben. Johnson's workes, 1616 — H num. 10.
The second part of Ben. Johnson, 1631 — H num. 11.
Some Sermons & Notes of Rich. Johnson, sometime ffellow of Manchester-Colledge, 1645: a manuscript — E num. 28.
A History of Jerland: a manuscript — B num. 32.
Julii Exuperantii Epitome cum Tabula de mensuris et ponderibus, 1630 — S num. 37.
Three late famous Imposters, Ottomano, Bei, & Sevi, 1669 — T num. 31.
Jones Ultimum Vale: Printed 1604 — H num. 48.
Presidents of Indentures in manuscript — G num. 22.
The Present State of Jerland: Printed, 1673 — CC num. 44.
Silius Italicus de secundo bello punico, Printed 1611 — CC num. 48.
Jests of Poore Robin, 1670 — OO nu. 7.
The Cabbinet of Jests and Bulls: 2 part: by Tho. Jordan, 1674 — OO nu. 11.
The Present State of the Jewes, 1676, by Dr. Addison — CC num. 54.
Julian the Apostate 1682 — OO num. 50.

K

Kasperger's first booke of Bulls; 4 parts: in 4 bookes, 1615 — NN num. 45, 46, 47.
Keckermanni Systema Theologicum, 1615 — EE num. 1.
Keckermanni Systema Disciplinæ Politicæ et Oeconomicæ, 1616 — GG num. 24.

Keckermanni Systema Physicum: Hanoviæ, 1617 — GG num. 25.
Keucherii notæ in ffrontini Stratagemata: Amsterodami, 1661 — W num. 32.
Dan. King's Vale-Royall of England, 1656 — A num. 21.
Kitchin's Court Leete & Court-Baron, 1580 — CC num. 36.
Kornman de virginitate et Linea Amoris: Oxoniæ, 1669 — CC num. 16.
Hen. Knighton, monachus Leycestriensis: put out by Cornelius Bee — B num. 16.
The Key of the Bible by Roberts, 1648 — EE num. 43.
Knoll's Generall History of the Turkes, 1638 — B num. 35.
Killing noe murther by William Allen — Q num. 34.
Kebles Statutes at large — D num. 19.
Kebles Assistance to Justices of Peace — C num. 26.

L

Langhorne's Introduction to the History of England. Printed 1676 — OO num. 21.
Langham's Garden of Health: 2ond Edition, 1633 — GG num. 28.
Diogenes Laertius de vitis Philosophorum, græce et latine, 1558 — W num. 27.
Lamberds Perambulation of Kent, 1596 — Y num. 29.
Lamberd's Justice of Peace, 1599 — T num. 30.
Lamberd's Archion of the Courts of Justice in England: Prin. 1635 — X num. 14.
Lamberd's Archaionomia: Printed 1644 — B num. 17.
Don Juan Lamberto: A Comicall History, 1665 — Y num. 38.
Ælius Lampridius with other Authors, Printed at Leyden, 1661 — W num. 10.
Laonicus et Logotheta, Byzantinæ Historiæ Scriptores: printed 1615 — A num. 49.
Lathom-Spaw in Lancashire, by Dr. Borlace of Chester, 1670 — T num. 34.
Laud the Archbishop's Speach in the Star-Chamber 1637 & also his Speach on the Scaffold 1644 — FF num. 49
Gerard Legh's Accedence of Armory, 1597 — Y num. 3.
Valentine Legh's Science of Surveyinge, 1592 — GG num. 50.
H.L. Esq. his history of Charles 1: Printed 1656 — A num. 28.
Lemnius de occultis naturæ miraculis: ffranco-furti, 1598 — CC num. 14.
Lex Ignea: A sermon ⟨bound⟩ with others — GG num. 65.
Lexicon-Homericum by Coulon, 1643 — T num. 32.
Ley vicar of Greate-Budworth his Sunday a Sabbath, 1641 — FF num. 13.
Ley's doubts of the Oath imposed by the 6th. canon, 1641 — X num. 38.
Leycester's Commonwealth, by Parsons a Jesuite: Printed 1641 — T num. 8.
Sr. Peter Leycester's short-view of Greate Brettaine & Jerland, as also his Antiquities Touchinge Cheshire, with a Transcript of Cheshire out of Domesday-booke: Printed 1672 — D num. 16.
The originall manuscript of the same booke — D num. 14.
Leycester's Collectanea mathematica: A manuscript — C num. 15.
John Leycester Schoolemaister his Translation of Joh. Reynolds Oration, 1638 — S num. 63.
Lievesey's Sermons — O num. 11.

Lilburn's oppressed man's oppression, 1646
Lilburn's Remonstrance, 1646
Lilburn's London Account, 1647
Lilburn's resolved man's Resolution, 1647 — Y num. 49.
Lillyes Grammar with Notes added, Printed at Oxford 1675 — OO num. 29.
Lillye's Catastrophe till 1666, Printed 1667: and his Astrologicall Predictions, 1648 — Y num. 56.
Will. Lillye's Latin-Grammar: Printed 1638 — DD num. 36.
Georgii Lilly Chronicon, 1548 — X num. 26.
Titus Livius, cum Chronologia: Printed at London, 1589 — X num. 62.
John Leycester's Survey of England's Champions, 1648 (a foolish booke) — N num. 48.
Lessius right course of Preservinge-Health: 2ond Edition, 1634 — CC num. 42.
Sr. Peter Leycester's Antiquities with the Coates in colours, & other notes of amendment in manuscript (see also H num. 56) — D num. 15.
Sr. Pe. Leycester's Answere to Sr. Tho. Manwaring's Defence of Amicia. Printed 1673. With the addenda — HH 27.
Sir Peter Leycester's Reply to Sr. Tho. Manwaring's Answere to his Addenda
Sir Peter Leycester's old Law misunderstood, or the new Law misapplyed, 1674. — OO num. 8, 12.
Sir Peter's second Reply — OO num. 14.
Lipsius de Constantia: at Leyden, 1628 — S num. 49.
Lipsii Exempla Politica: Amsterodami, 1630 — S num. 52.
Lipsii Epistolæ: Printed 1616 — X num. 58.
Lipsius Comment on Seneca (see Seneca) Antwerpæ, 1605 — L num. 9.
Lipsius Notes on Cornelius Tacitus & Velleius Paterculus, 1648 — L num. 1.
Lochæi Scoti Poemata, 1620 — T num. 28.
Longolius Notes on Plautus: see Plautus
Hen. Lord's Discovery of the Bannian's & Persees Religion, two sects in the East-Indies, 1630 — GG num. 42.
Lots wife, a Sermon; & an exposition on Nunc Dimittis: with others — FF num. 26.
Love's Oration in Cambridge on the King's Returne, 1660 — Y num. 33.
Love in a Tubb: a Comedy — P num. 21.
Lodge his Translation of Josephus, 1632 — A num. 50.
The Present State of the Low-Countreyes, 1669 by W. A. — T num. 33.
David Lloyd's Memoires, 1668 — A num. 20.
David Lloyd's Statesmen & ffavourites of England, 1670 — V num. 23.
Homfrey Lloyd's — Y num. 7.
Lucan cum notis variorum, 1658 — W num. 20.
Lucan cum notis ffarnabii: Printed 1618 — DD num. 31.
Lucan Englished by May: 3d Edition, 1635 — DD num. 61.
Lucian's Dialogues: Printed 1664 — N num. 18.
Ludolfus Saxo on the Psalmes: Printed 1491 — E num. 42.
Lucius Florus. see Florus
Lucius Annæus Seneca: see Seneca
Lucretius cum Nardii Explicatione, 1647 — HH num. 13.
Lyra on the Bible: 4 Volumes Printed at Basle, 1498 — E num. 34, 35, 36, 37.
Lysimachus Nicanor to the Covenanters in Scotland, 1640 — Y num. 27.

Lydiat's Emendatio Temporum: Printed 1609	DD num. 28.
Nicolas Lloyd's Dictionarium Historicum, Geographicum, Poeticam 1671	G num. 48.
Homfrey Lloyd's ffragmentum descriptionis Bretannicæ, 1572	DD num. 30.
The Liturgy of England Paralleld with the Masse-booke	FF num. 40.
The Lifes of Henry Duke of Glocester, and Mary Princesse of Orange, 1661	T num. 60.
Lexicon Homericum, 1643. See Coulon	
Hen. Lawes Aires & Dialogues for 1, 2, & 3 voyces, 1653	H num. 44.
Lessons for the Lyra Violl in Severall Tunings: a Manuscript	H num. 41.
Lawes-Psalmes for 3 voyces with a Thorough Basse, 1648: 4 bookes	NN num. 53, 54, 55, 56.
Will. Lawes 4 parts for violls with a Thorough basse for an Organ or virginall: very good: V bookes in manuscript: with some of 3 parts by Jenkins	NN num. 8, 9, 10, 11, 12.
The lifes of the Primitive ffathers, 1677. See Cave	H num. 68.
Coggan's Oxonia illustrata, 1675	D num. 18.
Lock's Three Parts for Violls or Violins, 1656: 4 bookes	NN num. 32, 33, 34, 35.
Lessons of 2 & 3 parts for Violls: 3 bookes in Manuscript	NN num. 13, 14, 15.
Lessons and Hornepipes for the Treble Violl by mee P.L.	NN num. 6.
Dr. Lloyd's funerall Sermon uppon the death of John Wilkins Bppe of Chester, 12° Decem. 1672	HH num. 24.
Linocer of Plants, Beasts, Birds & ffish: in ffrench: Prin 1584	CC num. 50.
Mr. Lievesey vicar of Budworth, 3 sermons 1674	OO num. 6.
Sir Peter Leycester's Historicall Antiquities (1673) with notes	H num. 50.
Sir Peter Leycester's lesser bookes all bound togather 1674 with a reply to Sir Tho. Manwarings Answere to my Two bookes in Manuscript also bound with them, 1675	OO num. 8.
Sir Peter Leycester's two bookes, 1674	OO num. 12.
Sir Peter Leycester's Answere to the Defence of Amicia, 1673	OO num. 16.
Sir Peter Leycester's second Reply to Sr. Tho. Manwarings Answer to his two Bookes, 1676	OO num. 14.
Lillye's guide for Astrologers. Printed 1676	OO num. 28.
Sir Peter Leycester's Historicall Antiquities, 1673 with short Notes	H num. 58.
A letter from a Person of Quality to his friend in the Countrey 1675 stitched togather with the speaches of the Duke of Buckingham and the Earle of Shaftsbury in the House of Lords, 1675	Q num. 12.
The Answere to that Letter, Printed 1676	Q num. 14.
Sir Peter Leicester's lesser bookes agt. Sir Tho. Manwaringe bound severally in vellam	OO num. 34, 35, 36.
Sir Peter Leicester de Antiquitate nomine et origine Leicestrorum: A manuscript 1677	OO num. 39.
Sir Peter Leicester's Answere to Sr. Thomas Manwarings Admonition 1677	OO num. 38.
Loues Journall	CC num. 59.

Littletons tenures in English — CC num. 68.
Lindwood his provinciale — L num. 15.
Archbishop Laud his Summary of Devotion — OO num. 46.
Lexicon Pentaglotton by Valentin Schindler — C num. 22.
Longs vindication of the Primitive Christians with the life of Julian — OO num. 53.

M

Magirus Physickes, 1642 — GG num. 16.
Will. Malmesbury: put out with others by Sr. Hen. Savill, 1601 — C num. 5.
Count Mansfeld's directions of Warre, 1624 — GG num. 54.
Manuale Græcæ Linguæ, 1649 — CC num. 35.
Dr. Everard Manwaringe's Traitise of the Scurvey, 1665 — T num. 56.
The same Dr. Manwaring's Vita Sana et longa, 1670 — V num. 41.
Margarini de la Bigne's Bibliotheca Patrum, 1576: Tom. 1, 2, 3^{us} — E num. 7.
Eiusdem Margarini Tom. 7^{us} et 8^{us}, 1576 — E num. 8.
Martianus Capella: Inter alios — G num. 55.
I.M. his Abridgement of the Chronicles of Scotland, 1633 — DD num. 34.
Martiall's Epigrams with ffarnabie's notes, 1623 — T num. 50.
Martiall's Epigrammata cum notis ffarnabii et variorum, 1656 — W num. 25.
Martiall's Epigrams Englished by ffletcher, 1656 — V num. 47.
Marcus Tullius Cicero: see Cicero
Martin's History of England; whereunto is added the History of Edw. 6, Q. Mary, & Q. Elizabeth, by B. R. and at the end is added the Succession of the Dukes & Earles of this Kingdome; & a Catalogue of the Baronets to 1630: Prin. 1638 — A num. 5.
Peter Martyr on the Epistle to the Romans: Printed 1650 — EE num. 37.
Mason de ministerio Anglicano, 1625 — E num. 41.
A Masse-booke in Latin: Printed 1565 — V num. 36.
The Masse-booke Paraleld with our Liturgy — FF num. 40.
Cardinall Mazarine's Government of ffrance from 1643, to 1664 — V num. 15.
Mascall on the Art of Plantinge, 1596 — GG num. 56.
Mason's three Traities: The Cure of Cares: The Contentment of Gods Gifts: and the Tribunall of the Conscience; 1634 — DD num. 62.
Mazianello in English, 1650 — T num. 9.
Mede's clavis Apocalyptica: Editio 2^{a}, 1632 — X num. 48.
Meisneri Institutiones A'ulicæ, 1642 — S num. 55.
Memoires of Q. Elizabeth & K. James: Printed 1658 — DD num. 17.
Memorable Accidents in ffrance, 1598 — A num. 38.
Memorable Notes duringe the Civill Warres of England: a MS. — P num. 48.
Mercurii Gallo-Belgici Tomi decimi liber primus; by Gotardus, 1614 — N num. 43.
Memorialls of the Royall Martyr, 1669: inter alios — FF num. 50
Asser Menevensis: put from Cambden's Coppy with others 1603 — B num. 14.
Milton's History of England, 1670 — Y num. 16.

The Mirrour of the World, an old booke	G num. 53.
Meriton's Touchstone of Wills: 2ond Edition, 1671	DD num. 57.
Mervin's Rehearsall Transpos'd: 1672	CC num. 45.
Milles Catalogue of Honour Printed at London, 1610	H num. 55.
Marmora Arundelliana, 1676	H num. 61.
Manwood of The Lawes of the fforest	GG num. 29.
Ammianus Marcellinus: Printed Lugduni, 1600	T num. 36.
Mary Princesse of Orange her Elegy by Wilde, 1660 inter alia	X num. 18.
Minshew's Dictionary of nine Languages: 2ond Edition, 1627	D num. 13.
Molin's Anatome Arminianismi: Printed 1621	FF num. 4.
Petri Molinæi Logica, 1603	T num. 22.
Moulin's Judge of Controversies, 1630: ffrench	O num. 19.
Moulin's Buckler of faith, 1635: ffrench	V num. 34.
Moulin's Defence of the Catholicke ffaith, 1631: ffrench	O num. 21.
Moulin's Answere to Cardinall Perron, 1633: ffrench	HH num. 22.
Moulin's Decad of Sermons, 1637: ffrench	EE num. 10.
Moulin's Examen of the Doctrine of Amyrault & Testard touchinge Predestination, 1638. ffrench	V num. 30.
Moulin's Apology for the Eucharist, 1630: ffrench	O num. 20.
Moderne Policies, 1653	S num. 65.
Monasticon Anglicanum: volume 1: 1655	B num. 11.
Monasticon Anglicanum: volume 2: 1661	B num. 12.
Monlucii Oratio in electione Novi Regis Poloniae, 1573	P num. 25.
Montague's Diatribe on the first part of the late History of Tithes by Selden, 1621	X num. 29.
Hen. Montague, Earle of Manchester, his Contemplatio mortis et immortalitatis: 4th Impression, 1638	N num. 10.
Tho. de la More's History of Edw. 2: put out from Camb-den's coppy, 1603	B num. 14.
Sir Thomas More, Lord Chancellour, his life and death: 1652	T num. 37.
Mortality of the Soule by R. O. 1644	FF num. 55.
Dr. Morton's defence of Surplice, Crosse, & Kneelinge, 1618	P num. 20.
Morton's Memoriall of New England, 1669	X num. 10.
John More's Chronologye, 1593	EE num. 7.
Dr. Mosan's Generall Practise of Physicke; Prin. at London, 1598	G num. 42.
Moxon on the Use of the Globes, 1659	GG num. 15.
Murthers Revenged, 1661	V num. 32.
Sir Tho. More's Utopia: Amsterodami, 1629	S num. 50.
Musarum Deliciæ: 2ond Edition, 1656	S num. 29.
Muse's Interpreter by Rosse: 3d Edition, 1653	V num. 14.
Maginus uppon Ptolomy: Printed 1597. Latin	HH num. 9.
Sr. Tho. Mores Epigrams, 1638	S num. 11.
H. Marsh his new Survey of the Turkish Empire, 1663	T num. 61.
John Marsh of Actions of Slander & Arbiterments, 1648	N num. 15.
Monke, Duke of Albemarle, his ffunerall Sermon, 1670. see Seth	GG num. 67.
and his life writ by Gumble his Chaplaine: see Gumble	
Pomponius Mela cum observationibus Vossii, 1658	W num. 28.
Messalæ Corvini Epitome, inter alios 1630	S num. 37.
Morley's Introduction to Practicall Musick, 1608	H num. 42.
Morley's Ayres for the Lute, Voyce, and Basse-Violl	H num. 48.

Musicall Ayres for 1, & 2 Voyces to the Theorbo and Bass-Violl; by Dr. Wilson, Dr. Colman, Henry Lawes, and William Webbe: Printed 1652 — H num. 43.
Mosse's Lessons for the Bass-Viol, with a Thorough-bass: 2 bookes, 1671 — NN num. 4, 5.
More's Principles for younge Princes, 1611 — CC num. 47.
Sr. Thomas Manwaring's Defence of Amicia, 1673 — HH num. 26.
Sr. Thomas Manwaringes Reply to Sr. Peter Leycester's Answere, 1673 — HH num. 30.
Sr. Thomas Manwaringes Answere to S. P. L. Addenda, 1673 — OO num. 4.
The History of the Marques of Montrosse in Scotland, 1644, 1645, 1646 in Latin — OO num. 3.
Sir Tho. Manwaring's Answere to my Two bookes, 1675 — OO num. 12.
The History of the Marquesse of Montrose in English. Printed 1649 — OO num. 19.
Sir Thomas Manwaring's Admonition to the Reader of my Bookes, 1676 with Sr. Peter Leicester's Answere in manuscript, 1676 — OO num. 37.
Mace, his musicall Monuments. Printed 1676 — H num. 63.
The Memoires of Mr. James Nodsworth a jesuit that recanted — Q num. 36.
A Discourse of Monarchy. 1684 — OO num. 51.
Moses and Aaron by Godwyn — Q num. 41.

N

Nanton's ffragmenta Regalia, Printed 1642 — W num. 42.
A Narrative of the Suit betweene the Ld. Brandon, & ffitton, 1663 — W num. 41.
A Narrative of Some Passages relating to the longe Parliam^{t}; 1670 — P num. 29.
The Triumphs of Nassau: Englished by Shute, 1613 — H nu. 64.
Cornelius Nepos de vitis Excellentium Imperatorum cum notis, 1658 — W num. 8.
Newton's History of the Saracens, 1575 — X num. 36.
Nicephorus greeke & Latin: Printed Coloniæ Allobrogum, 1615 — A num. 49.
Northbroke's Summe of the Christian ffaith — N num. 41.
Nowell's Catechisme greeke & Latin: Printed 1638 — N num. 42.
Noy's Reports: 2$^{ond.}$ Edition, 1669 — G num. 24.
Willielmus Neubrigensis de Rebus Anglicis, Printed 1567 — T num. 6.
North's Translation of Plutarch's lifes into English, 1612 — B num. 39.
New Testament: see Testament
Normanniæ Chronica: put out with other bookes, 1619 — B num. 6.
Names of all the Townes & Villages in England & Wales, 1657 — Y num. 35.
History of the Netherlands to 1627 — B num. 38.
The ffrench King's Expedition into the Spanish Netherlands, 1669 — S nu. 21.
Notitia Oxoniensis, 1675 — Q num. 2.
Antiquities on Nottingham-shire: see Thoroton's Antiquities — H nu. 59.
Nalson's Common Interest of Kinge and People, 1678 — OO nu. 40.
A narrative of his Majesties proceeding by his privy Councell in Scotland 1678 — Q num. 19.
Nalsons impartiall Collection of ye great affaires of state — C num. 21.
Nalsons impartiall Collection. second vol — C num. 24.

O

Observations on the Offices of High Steward & High Constable, 1642	Y num. 63.
Observations Touchinge formes of Government, 1652	GG num. 53.
Œcolampadius in Epistolam ad Hebræos: Printed 1534	O num. 16.
Omphalius de Elocutione	T num. 53.
Orationes ex Historicis Latinis Excerptæ, 1667	N num. 16.
Oratio ad Regem ffranciæ pro Jesuitis &c. et Apologeticon Belgarum, et Epistola Isaaci Causaboni ad Synodum: Editio 2ª, 1603	T num. 38.
The Orchard & the Garden: Printed 1594	GG num. 55.
Origenis Operum Tom. 3us et 4us Latine: Printed 1530	E num. 30.
Pauli Orosii Historiarum Libri VII: put out by ffabritius Marco, 1582	T num. 1.
Osborne's Advice to a Son: 6th. Edition, 1658	T num. 46.
Osiandri Harmonia Evangelica: Printed 1537	E num. 18.
Osorii Cancionum Tom. 2, 3, 4, 5: fowre volumes: Printed 1601	EE num. 27, 28, 29, 30.
William Bishop of Ossory in Jerland, his Antichrist Revealed, 1660	E num. 29.
Ovidii Opera cum Notis Selectissimis, Printed at Leyden 1662: 3 volumes	W num. 15, 16, 17.
Ovid's Metamorphosis with Sabinus notes: an old booke	CC num. 12.
Ovid's Metamorphosis the V first bookes Englished by Sands, 1621	S num. 53.
Oweni Epigrammata: Printed 1647	S num. 42.
Oxford-Verses on the death of Henrietta-Maria Qu. Mother, 1669	H num. 3.
Oxford-verses on the death of George Monk, Duke of Albemarle, 1669	H num. 2.
Oxford-verses on the King's Returne, 1660	X num. 17.
Oxford-verses on the death of the Duke of Glocester, 1660	X num. 17.
Oxford-Jests by Hicks, 1670	DD num. 23.
Overbury's wife & Characters: 12th Impression, 1627	DD num. 53.
Ordericus Vitalis: put out with others by Andrew du Chesne, 1619	B num. 6.
Ogilbye's Paraphrase of Esop's ffables in English verse, 1651	Y num. 41.
Ovid de Arte Amandi in English verse: Inter alios	T num. 23.
Oration in Latin, by John Bppe of Exeter; 1660: amonge others	B num. 28.
Observations upon The Answere to the Grounds of the Contempt of the Clergy & Religion, 1671	T num. 54.
Office of Justice of Peace, Sheriffes, Constables, &c: 1538	DD num. 8.
Ovid Traversty, 1673	P num. 52.
Oxonia illustrata, 1675: see Loggan	
Oxoniensis Academiæ Notitia: see Notitia	Q num. 2.
Oxford Reasons against the Covenant, 1648: see Covenant	T num. 3 and GG num. 38.
Historia et Antiquitates Academiae Oxoniensis, 1674; by Wood	D num. 17.
The foundation of the Universities of Oxford & Cambridge, 1651, with some Notes of Mee P. Leicester in Manuscript added	X num. 3.

Twines Antiquities Oxoni Academiæ Apologia, 1608: See Twine — Y num. XI.

P

Paget's Description of Sectaries: 3d Edition, 1647 — FF num. 29.
Palingenii Poemata, 1608 — CC num. 25.
Panteri Metamorphosis Sacra, 1651 — P num. 51.
A Parallel betweene the Masse-booke & our Liturgy — FF num. 40.
Pareus on Ursin's Catechisme, 1621 — FF num. 30.
Matthew Paris put out by Dr. Wats, 1640 — B num. 15.
Matthew Paris: an old Edition, 1571 — A num. 17.
Matthew Parker's Antiquitates Bretannicæ, 1605 — B num. 7.
Pasor's Lexicon, Printed 1650 — O num. 1.
Pastorall's of Julietta: see Julietta
Pausanias his Attica et Corinthiaca, Put in Latin by Calderinus, 1541 — X num. 24.
Velleius Paterculus with Lipsius Comment — L num. 1.
Vellei Paterculi Epitome inter alios — S num. 37.
Pax in Terra by Haine, 1639 — EE num. 44.
Dr. Pearson's Exposition of the Creede, 1669 — E num. 17.
Pedegrees of Cheshire. a Manuscript in a large ffolio — D num. 1.
Peacham's valley of variety, 1638 — N num. 46.
Peacham's Complete Gentleman: 2ond Impression, 1634 — Y num. 31.
Pererius in Prophetiam Danielis — O num. 15.
Perkin's Workes: 2ond volume. Printed 1613 — E num. 12.
Petrarch's Dialogues, 1577 — CC num. 27.
Petronii Arbitri Satyricon cum Commentariis Variorum, 1654 — W num. 22.
Tho. Philpot's Villare Cantianum, 1664 — A num. 32.
Mrs. Katharine Philip's Poems, 1664 — V num. 48.
Philocothonista, or the Drunkard, 1635. Inter alios — W num. 36.
Pindar's Workes: two volumes in large Quarto, cum Commentariis Schmidii, 1616 — HH num. 2, 3.
Dr. Pierce's Sermon at St. Pauls after the King's Returne, 1660 — X num. 28.
Dr. Pierce's Sermon before the Kinge ffebr. 1, 1662 — X num. 25.
Piscator's Analysis on Luke & John, 1596 — V num. 21.
Piscator on John & the Acts, 1595 — V num. 24.
Piscator on the Romans, James, Peter, John, & Jude, 1595 — EE num. 36.
Pitiscus his Trigono-metria Englished by Handson — GG num. 19.
Pitseus de illustribus Angliæ Scriptoribus, 1619 — A num. 1.
Platonis Opera græce et latine, cum fficini Commentariis, 1590 — C num. 13.
Plautus cum Lambini Commentariis et notis Lipsii: Printed at Paris, 1588 — H num. 1.
Plautus with Longolius Notes, 1538 — O num. 22.
Plautus, a little booke with clasps: Printed at Amsterdam, 1629 — S num. 39.
Plinie's naturall History, cum notis Delacampii: Printed 1606 — C num. 12.
Plowden's Commentaries, 1599 — G num. 5.
A Catalogue of the Plants in the Physick-Garden at Oxford, 1648 — N num. 39.

Pauli Diaconi Epitome, 1630 inter alios	S num. 37.	
Perkin's Clavis Homerica: Editio 3ª, 1647	DD num. 22.	
The Parsons Counsellour: see Deggs Parson's Counsellor		
Pancirollus de Rebus Perditis with Salmuth's Notes, Printed at ffrancofurt, 1660	HH num. 36.	
Plutarch's workes in Greeke: 6 volumes in 8°: Printed 1572	V num. 3, 4, 5, 6, 7, 8.	
Plutarchi vitarum Tom. 3us, in latin; cum appendice	V num. 40.	
Plutarch's lifes with some others; Englished by Sr. Thomas North, 1612	B num. 39.	
Polybius Englished by Grimston, 1634	A num. 48.	
Polycarpi et Ignatii Epistolæ: put out by Bishop Usher: Oxon, 1644	FF num. 3.	
Polychronicon, translated into English by Trevisa	A num. 3.	
Ponticus Virunnius: see Virunnius		
Portusius his Translation of the Bppe of Downes Speach into Latin touchinge the Scotch-Rebellion, 1639	Y num. 17.	
Pomponius Mela: see Mela		
Moderne Policies, 1653	S num. 65.	
Posselii Calligraphia, 1620	O num. 2.	
Polydor Vergill's Historia Anglicana, 1546	B num. 25.	
Popinus Notes on Varro, 1601	DD num. 7.	
Poole's English Parnassus, 1657	X num. 54.	
Power of Princes & obedience of Subiects, by Bppe Usher, 1661	FF num. 44.	
Postilla in diebus festis	T num. 47.	
Powel's notes on the History of Wales, 1584	Y num. 7.	
Dr. ffrancis Potter on the number 666: Printed 1642	HH num. 15.	
Dr. Pocklington's Altare Christianum, 1637	FF num. 39.	
The New Common Prayer-Booke of the Church of England, 1662	E num. 25.	
Another of the same, Printed 1669: in ffolio also	H num. 36.	*Used in the*
The New Common Prayer-Booke in Greeke by Dupert, 1665	EE num. 21.	*chappell*
Another ⟨new English⟩ Common Prayer-Booke with Cuts, in 8°, 1664	EE num. 23.	
Another new English Common Prayer-Booke with Cuts, 1668	P num. 10.	
An old Common Prayer-Booke in 4°: Printed 1611	FF num. 18.	*See in the*
Another old Common Prayer-Booke in ffolio; Printed 1619	H num. 37.	*Chappell.*
Petlius his Translation of the old Common Prayer-Booke into Greeke, 1638: bound up with the Greeke Testament	EE num. 22.	
Sir John Price's Defensio Historiæ Brettanicæ, 1573	Y num. 10.	
Dr. John Prideaux his Lecturæ, Orationes, et conciones latinæ, 1648	E num. 26.	
Dr. Prideaux his Oration de Sabbato 1622; put in English; 1635	X num. 65.	
Dr. Prideaux English Sermons: Printed 1636	FF num. 32.	
Dr. Prideaux his fasciculus Controversiarum: Printed 1649	FF num. 10.	
Idem Prideaux pro Isaaco Causabono contra Eudæmon Johannem, 1614	EE num. 3.	
Matthias Prideaux his method of Readinge Histories, 1655	P num. 15.	
Prin's History of King John, Hen. 3d & Edw. 1: 1670	C num. 2.	
Prin's Brevia Parliamentaria, 1662	Y num. 28.	
Sir John Pettus Collection of two Reports, 1674: one of Sr. John Davys, the other from Sir Edward Cooke	Q nu. 3.	

Procopii Cæsariensis Persica, Vandalica, et Gothica, Græce tantum. Set out by Hoeschelius, 1607: et de ædificiia Iustiniani: Also Procopii Historia Arcana græce et Latine: Printed at Lyons, 1623	A num. 46.
Ptolomey's Geography, with Maginus Notes & Additions, 1597. Latin	HH num. 9.
Procli Sphæra græce. Printed at Paris, 1536	P num. 24.
Puteani Comus, sine Somnium, 1634	S num. 61.
Palfreyman's Traitise of morall Philosophy, 1579	DD num. 11.
Pastor ffido: see ffanshaw	
Psalterium, Græco-Latinum, 1584: with silver clasps	CC num. 26.
Hugh Peter's life and Death by Dr. Yonge. See Yonge	
Poore man's Library: see Alley	
Common-Prayer-booke with Thanksgivinge for the Returne of Kinge Charles 2ond; 1660	P num. 17.
Common Prayer-booke for the Plague, 1665: with a Relation of 7 greate Plagues at London	
Common fforme of Prayer for our Navall forces, 1665	
Perie's Sermons put into Latin, by Gunter: Pars 2a; 1558	O num. 12.
Dr. Potter's Answere to a late Pamphet [*sic*] called Charity mistaken, 1633	V num. 10.
Passages & Letters touchinge Chester-Siege, 1645	B num. 28.
A Poem on his Maties. Coronation, 1661, Apr. 23d: Inter alia	B num. 28. [*sic*]
A Proposall of ffarminge Liberty of Conscience, 1663	Y num. 24.
His Maties. Propriety in the Brittish Seas, by R.C. 1665	T num. 11.
His Maties. Manifestation of the Palatine-Cause	Y num. 63.
Certaine Presidents of Indentures in manuscript	G num. 22.
Prerogative of Parliaments in England, 1628	X num. 48.
Poems and Songes by T. W. 1654	N num. 8.
A Discourse of Prodigies, 1658	DD num. 15.
The Summe of all the Controversies touchinge Religion betweene the Papists & Protestants: 30th. Edition, 1615: in ffrench	E num. 43.
Pilkinton's songs of 4 parts with Tableture of the Lute, 1605	H num. 46.
Psittyrne-Lessons put out by Playford, 1666: not well set	P num. 40.
Another Booke of Psittyrne-Lessons in manuscript by me P. Leycester	P num. 43.
Another old booke of Psittyrne Lessons in manuscript	P num. 46.
Another booke with gilded leafes of Lessons for the Gittern & Psittyrne	P num. 44.
Playford's Introduction to the Skill of Musick: put out 1655	P num. 38.
Pilkinton's 2ond set of Madrigalls of 3, 4, 5, & 6 parts apt for Violls or Voyces, 1624: in six bookes	NN num. 23, 24, 25, 26, 27, 28.
Principles for younge Princes by George More Esq, 1611. See More	
The Present State of the United Provinces, 1669. by W. A. see Low-Countreys in L.	
Philip Comines corrected by Godefrey, Englished 1674 see Sleidan	OO num. 10.
Penne's England's Interest, 1675: a dangerous booke	Q num. 9.
The Grand Pyrate, 1675	Q num. 11.

A Pacquet of Advice to the men of Shaftesbury: Printed 1676	Q num. 14.
Longe Parliament dissolved. Printed 1676	Q num. 15.
A Second Pacquet of Advices, 1677	Q num. 16.
Homfrey Prideaux Marmora Arundelliana, 1676	H num. 61.
Moses Pengrey's Cooper's Hill, 1672 Latine redditum	Q num. 18.
Psalterium Carolinum a musicke booke	NN num. 65.
An old prayer Booke	OO num. 45.
A discovery of pigmies by Josua Barnes	CC num. 61.
A seasonable discourse against Popery	Q num. 27.
his majesties letters patents for the rebuilding of Paul's together with some objections answered	Q num. 39.
Patriarcha non Monarcha	OO num. 49.
John Peter of the Siege of Vienna	L num. 20.
Poems & Characters by me P. L. a manuscript	N num. 9.
Protestants Vade Mecum	OO num. 54.
Pagets Christianographie	PO num. 56.

Q

The Quaker's Spirituall Court proclaymed, 1669	P num. 22.
Quarle's Argalus & Parthenia, 1628: bound with other bookes	W num. 36.
Quarles Divine Poems, 1638	N num. 25.
Quarles Emblemes: Printed 1658	DD num. 6.
Quarles Judgement & mercy in Prose: 5th Edition, 1660	T num. 52.
The Question of Witch-craft debated. See Witchcraft	
Quintilian: Printed at London, 1641	EE num. 12.
The Visions of Quevedo: 3d Edition, 1668	X num. 13.
The History of Don Quixot	H num. 16.
Pleasant Notes on Don Quixot, by Gayton 1654	H num. 17.
Quære's uppon the late Act of Conventicles, Prin. 1670: this was sent me by the Post in a blank letter: May 14, 1670	GG num. 33.
Quintus Curtius	W num. 3.

R

Rablay's workes Englished by Urchard, 1664	V num. 50.
Ramus Geometry Englished by Bedwell, 1636	GG num. 13.
Randolph's Poems: 4th Edition, 1652	DD num. 49.
Rastall's Table for the yeare of our Lord & the yeare of the Kings, 1598	N num. 38.
Sr. Walter Rawlegh's History of the World, 1614	G num. 56.
Sr. Walter Rawley's Scepticke: Printed 1651	S num. 75.
Sr. Walter Rawley's Arraignment, 1603. Printed 1648	GG num. 40.
Rawley's Translation of the Lord Bacon's Workes into Latin, 1638	B num. 34.
Rawson's Consecration Sermon of Brasen-Nose-Chappell, 1666: A manuscript with other bookes	GG num. 65.
Dr. Raynold de libris Apocryphis: Tom. 1. Printed 1611	HH num. 20.
Dr. Raynold de libris Apocryphis: Tomus alter, Printed 1611	HH num. 21.
Dr. Raynold's Conference with Heart, 1609	FF num. 7.

Raymund's Voyage through Italy 1646 & 1647 — T num. 51.
The Repertory of Records, 1631 — GG num. 22.
Reusner's Symbols: Editio 9ª, 1650 — DD num. 56.
Rex Platonicus, ceu de Adventu Regis Jacobi ad Oxoniam. 1605—Editio 5ª, 1635 — S num. 2.
John Reynold's Oration Englished by Joh. Leycester, 1638 — S num. 63.
Richardson's observations on the old Testament, 1655 — E num. 38.
Ridar's Dictionary, Augmented by Holy Oake; Printed 1659 — HH num. 18.
Ridley's view of the Civill & Ecclesiasticall Law: 2ond Edit. 1634 — X num. 43.
Riolani Prælectiones in libros Physiologicos: Printed at Paris, 1620 — EE num. 35.
Rivets Defence of Mornay's Mystery of iniquity, 1612 — FF num. 15.
Rivet's dissertatio de Origine Sabbati, 1633 — CC num. 21.
Roberts Key of the Bible, 1648 — EE num. 43.
Robinson's Eudora; 1656 — EE num. 42.
Robinson's Latin Phrases: 4ª Editio, 1664 — V num. 39.
Rogers on the 39 Articles of Religion, 1629 — GG num. 34.
The Rogue, on the life of Guzman the Spaniard: 5th. Edition, 1656 — V num. 46.
The English Rogue, 1668 — EE num. 13.
Ross his second part of the History of the World, 1652 — G num. 57.
Ross his Animadversions on Sr. Walter Rawley's History — T num. 62.
Ross his New Planet no Planet, 1646 — X num. 33.
Ross his Confutatio Lansbergi et Carpentarii, 1634 — GG num. 12.
Ross his Colloquia Plautina, 1646 — DD num. 3.
Ross his Muses-Interpreter; 3d Edition, 1653 — V num. 14.
Poore Robins Jests, 1670 — OO nu. 7.
Rossets Tragique History of our tymes, 1623: ffrench — V num. 25.
Tho. Rogers his Anatome of the minde, 1576 — P num. 37.
Rushworth's Historicall Collections from 1618 to 1629 — B num. 26.
The Present State of Russia, 1671 — V num. 43.
Ruvio on Aristotle de Anima, 1621 — GG num. 3.
Ruvio's Logicke, 1621 — GG num. 4.
Ruvio de cælo et mundo: Editio 2ª, 1626 — GG num. 5.
Ruvio's Physicke: nova Editio, 1629 — GG num. 6.
Ruvio de Generatione et Corruptione; nova Editio, 1634 — GG num. 7.
Rycaut's Present Estate of the Ottoman Empire, 1670 — A num. 36.
The Royall Charter, 1649 — N num. 32.
Reasons against the Covenant: See Covenant
Registrum Omnium Brevium; Printed 1553 — G num. 7.
Ricardus Prior Hagustaldensis; put out with others, 1652 — B num. 16.
Rowland's Guy of Warwick. see Guy
Rosseter's Aires to be Sunge to the Lute & Bass-Violl, 1601 — H num. 46.
Robinson's booke for the Psittyrne, Printed 1609 — P num. 47.
Ravenscroft's Psalmes in 4 Parts, 1633: in one booke — P num. 42.
The Rehearsall Transposd: see Mervin
The Lord Rosse's Case of Divorce discussed, 1673 — CC num. 46.
Reflexions upon the Devotions of the Roman Church, 1 part: 1674 — OO num. 17.
Reasons for the Reduction of ffrance, 1678 — Q num. 17.
A Treatise of Humane Reason, 1675 — CC num. 56.
A Particular Examination of that Treatise entituled Humane Reason, 1675 — CC num. 57.

Observations upon a Treatise, entituled of Humane Reason, 1675 — CC num. 58.
The Reformed Catholique or true protestant — Q num. 35.
Rushworths Tryall of the Earle of Strafford — C num. 20.

S

Ælias Spartianus, inter alios 1661 — W num. 10.
Sa The Jesuit's Aphorismes, 1615 — CC num. 5.
Dr. Sandersons first booke of Sermons in 4°; 14 in number: Edit. 3ª, 1637 — FF num. 23.
Dr. Sanderson's late Booke of Sermons in folio, 20 in number: Printed 1656 — E num. 27.
Dr. Sanderson's Logick: Editio 5ª, 1657 — T num. 57.
Sanderson's Logick: Oxoniæ 1618 — N num. 21.
Remarques of the life of Dr. Sanderson, 1663 — X num. 67.
Dr. Sanderson de Juramentis; 1647 — T num. 58.
Dr. Sanderson's Episcopacy not Preiudiciall to Regall Power, 1661 — EE num. 18.
Sanderson's ffive Cases of Conscience, 1666 — EE num. 6.
Dr. Sanderson's Prælections in Scholis Oxonii habitæ, 1647 — EE num. 14.
The same Prælections in English, 1660 — EE num. 11.
Will. Sanderson's History of Mary Queene of Scots & Kinge James: Prin. 1656 — A num. 26.
The Same Will. Sanderson's History of Kinge Charles I: Printed 1658 — A num. 27.
Johannis de Sacrobosco Sphæra cum Scholiis Veneti, 1572 — X num. 55.
Salustii Opera cum notis Ciacconii; Londini 1601 — P num. 34.
Salustius cum variorum Observationibus: at Leyden, 1654 — W num. 6.
Sand's Travells: 4th Edition, 1637 — A num. 44.
Sand's V first Bookes of Ovids Metamorphosis in English verse, 1621 — S num. 53.
Sannazarii Poemata; 1648 — CC num. 20.
Sargue's universall way of Dyallinge, 1659 — GG num. 18.
Lord Say's Discourse of Usury, 1641: a manuscript — X num. 2.
Johannes Sarisburiensis de nugis Curalium: Printed 1639 — T num. 5.
Scapulæ Lexicon cum Meursii Glossario Græco-barbarico, 1652 — C num. 6.
Scheibler's Metaphysicks with Barlow's Exercitations, 1637 — GG num. 17.
Scarpii Symphonia Scripturæ, 1625 — HH num. 8.
Schrevelii Lexicon Græco-latinum: Editio 4ª, 1663 — P num. 12.
Scribonii disciplina Sphærica: Editio 3ª: ffrancofurti, 1591 — N num. 44.
Josephus Scaliger de Emendatione Temporum, 1629 — L num. 10.
Selden's mare Clausum, 1635 — A num. 2.
Selden of the Office of Lord Chancellor with Dugdale's Catalogue, 1671 — A num. 18.
Selden's Titles of Honour: 2ond Edition, 1631 — A num. 19.
Selden de Dis Syris, 1617 — V num. 19.
Selden's History of Tithes, 1618 — W num. 40.
Selden on the Birth day of our Saviour: Printed 1661 — V num. 33.
Seneca's Tragedies with ffarnabie's Notes — DD num. 9.
Seneca's Tragedies cum Selectis Variorum notis, 1651 — W num. 34.
Senecæ Philosophi opera cum Scholiis Lipsii: Antwerpæ, 1605 — L num. 9.

Lucii Annæi Senecæ filii Philosophi, et Marci Annæi Senecæ Patris Rhetoris Opera: Printed 1604 — W num. 33.
Scot's Discovery of Witchcraft: 3d Edition, 1665 — G num. 45.
Scarron's City-Romance made English, 1671 — GG num. 59.
Iulius Cæsar Scaliger's Comment on Aristotle's History of Livinge Creatures: at Toulouse, 1619 — C num. 11.
Dr. Savage's Ballio-ffergus: see Ballio-ffergus in B — OO num. 12.
Serres History of ffrance, continued to 1622 — B num. 36.
Severinus Boethius: see Boethius
Sexti Aurelii Victoris Epitome
Sexti Rufi ffesti Epitome — S num. 37.
Shakespeare's Playes: 3d Impression 1664 — H num. 4.
Sheringham de Anglorum Gentis Origine, 1670 — X num. 9.
Shute's Translation of the History of Venice into English, 1612 — B num. 37.
Seth Bppe of Salisburye's ffunerall Sermon at the buriall of George Monke Duke of Albemarle, 1670 Amonge others — GG num. 67.
Silesii Systema Theologiæ, 1617 — CC num. 33.
Sylva Synonimorum: Printed 1650 — V num. 38.
Skene de verborum Significatione: Printed 1641 — X num. 45.
Simeon Dunelminsis his History put out with others, 1652 — B num. 16.
Skinner's Sermon before the Kinge, 1634 — GG num. 41.
I.S. Apologia Ecclesiæ Anglicana: græce et latine, 1639 — S num. 18.
Sleidan's Epitome ffroissardi et Philippi Cominei, 1634 — CC num. 23.
Sleidan's Key of History in English: 3d Edition, 1635 — N num. 12.
Sleidan de Quatuor Summis Imperiis, 1646: a little booke — S num. 41.
Smectymnuus Redivivus, Touchinge our Liturgy & Episcopacy, 1654 — Y num. 22.
Smetii Prosodia Latina: Printed 1650 — O num. 8.
Smiglecii Logica: Oxonii, 1658 — GG num. 8.
Tho. Smith's Angliæ Descriptio, 1630 — S num. 10.
Smith and Brierwood's Logick: Oxonii, 1656 — S num. 6.
Smith's Sermons, 1618 — FF num. 19.
Soarius de Arte Rhetorica; Rothomagi, 1614 — S num. 70.
Sophocles: Tragædiæ VII, cum Scholiis Camerarii, 1568 — HH num. 12.
Spanhemii Dubia Evangelica: Pars 1a et 2a: Printed 1651 — HH num. 4.
Spanhemii Dubia: Pars 3a: Printed 1655 — HH num. 5.
Speed's History of Greate Brettayne: 2ond Edition, 1627 — D num. 12.
Speed's Maps at large, 1631 — D num. 11.
Speed's Husbandry, or Adam out of Eden, 1659 — S num. 32.
Spelman's Councels ad annum 1066; Printed 1639 — B num. 18.
Spelman's Councells: 2ond volume: ab anno 1066, ad annum 1531; 1664 — B num. 19.
Spelman's Glossary with paper betweene every leafe: Printed 1664 wherein I have added many wordes — B num. 20.
Spelman de non Temerandis Ecclesiis: 3d Edition, 1646 — FF num. 47.
A short History of Scotland — Y num. 15.
The Scotch-History, by Bucanan: see Bucanan: The Chronicles of Scotland. Abridged by I.M. 1633 — DD num. 34.
Scots Catalogue of bookes: a large Quarto: Printed 1674 — Q num. 1.
Seldon de nummis, cui accedit Bibliotheca nummaria: Printed 1675. Londini — Q num. 8.
Speculum Belli Sacri, 1624 — FF num. 6.
Spenser's Poems, 1617 — H num. 12.

Sir Philip Sidney's Arcadia, 1627	H num. 15.
Sphynx Theologica	N num. 24.
Spotswood's History of the Church of Scotland, 1655	B num. 29.
A relation of ffrancis Spira, 1548: Printed 1638	CC num. 3.
Stanley's History of the Philosophers: Volume 1. Printed 1655	H num. 65.
Stanley's 2ond volume of the Philosophers; Printed 1656	H num. 66.
Stanley's 3d volume of the Philosophers. Printed 1660	H num. 67.
States-men & favourites of England by Lloyd, 1670: see Lloyd	
Statuta Universitatis Oxoniensis, 1661 see also S num. 4	T num. 18.
Statutes of England at large from Magna Charta, to the end of Q. Mary volume 1 Printed 1618	G num. 1.
Statutes at large volume 2ond from Q. Mary to 16o Jacobi: Prin 1618	G num. 2.
Statutes at large de 21o Jac. et 3o Car. 1	G num. 25.
Stanford's Pleas of the Crowne; 1560: ffrench	P num. 19.
Stanford on the King's Prerogative, 1568: English	GG num. 45.
Statutes of Car. 2 in Severall Bookes. See Acts of Parliament in A Stierii Præcepta Logicæ, Ethicæ, Physicæ &c. Printed 1659	GG num. 9.
Stephenson's Poems, 1654	T num. 25.
Rob. Stephani Dictionarium Nominum Propriorum: Printed 1568	O num. 7.
Stillingfleet's vindication of Laud, 1665	E num. 15.
Stowe's Chronicle of England, continued by Edmund Howes to 1631	B num. 5.
Stowe's Survey of London, 1603	Y num. 32.
Strabonis Geographia Græce et latine, cum Commentariis Casauboni: 1620	L num. 6.
ffaminiani Stradæ Prolusiones: Editio 3a, 1625	EE num. 9.
Earle of Strafford's Tryall, 1641	X num. 44.
Stathlii Regulæ Philosophicæ: Printed 1658	DD num. 52.
Tho. Stubs Dominicanus: Put out with other Historians, by Cor. Bee 1652	B num. 16.
A rich Store-house for the diseased, 1630	GG num. 63.
Suarez Metaphysicks: Printed Moguntiæ, 1600	C num. 17.
Sr. John Suckling's Poems, 1648	N num. 1.
Suetonius Tranquillus, cum notis Schildii: Lugduni, 1656	W num. 2.
Suetonius: a little booke with clasps: Amsterodami, 1650	S num. 38.
Stockwood's Disputationes Pueriles: Editio 6a, 1650	T num. 27.
Sr. Stuart's Sentences of the Doctors of the Church, 1657	N num. 30.
Stubs ffraus honesta: a Comedy, 1632	S num. 64.
Dr. Stubs his Justification of the Present warre agt. the Dutch, 1672	FF num. 60.
The Suffrage of the Divines of Greate Brettayne concerninge V Articles in the Synod of Dort, 1619	X num. 37.
Suidas. volumen 1: Printed Coloniæ Allobrogum, 1619: opera et Studio Æmilii Porti	L num. 3.
Suidas volumen alterum	L num. 4.
Sulpitii Severi Sacra Historia, cum notis Hornii: at Leyden, 1654	FF num. 14.
Sunday a Sabbath, by Ley: see Ley	
Surfley's Translation of the Country-ffarme into English, 1616	G num. 40.

Survey of Englands Champions, by John Leycester: see Leycester
Sutcliffe of the Law of Armes, 1593 — W num. 48.
Swinburne of Wills and Testaments, 1635 — Y num. 42.
Synopsis Antiqui: Hebræs: by Tho. Godwin, 1616 (see Godwin) — FF num. 1.
Suspension discussed by Winnall, 1657: See Willan — DD num. 50.
Articles between Spaine and England, 1630
Office of High-Steward, & High-Constable of England, 1642 — Y num. 63.
The Character of Spaine, & Italy, 1660 — S num. 16.
Shepherd's Sure Guide for Justices of Peace, 1663 — O num. 9.
Songes on the Rump-Parliament: Printed 1660 — DD nu. 27.
Simson's Division-Violl: Editio 2ª, 1667 — H num. 45.
Simson's Principles of Practicall Musick: Printed 1665 — P num. 41.
Spencer's History of Jerland with others — H nu. 54.
Stradlinge Deane of Chichester his sermon before the Kinge, January 30 1674 — Q nu. 4.
Schickardi Horologium Hebræum: Printed 1675 — OO num. 26.
Sparrowe's Rationale on our Common-Prayer-Booke, Printed 1672: togather with Bishop Andrewes forme of Consecreation of a chappell — OO num. 32.
Earle of Shaftsburyes Speach in Parliament, 1675 — Q num. 12.
Sammes Antiquities of Britaine. 1 volume: 1676 — H num. 60.
Sparowes Articles, iniunctions, and Canons: 2ond Edition. 1671 — FF num. 2.
Saul & Samuel at Endor by Daniel Bravint D.D. — Q num. 23.
Dr. Stillingfleet concerning the Idolatry of Rome — Q num. 24.
Dr. Stillingfleet & Dr. Burnett their Conference wth some gentlemen of the church of Rome — Q num. 25.
A funerall sermon by Mr. Tudman parson of Sandbach on the death of Mr. Thomas Leicester brother to Sr. Peter — Q num. 28.
Smith his carmen panegyricum to John King of Poland — CC num. 63.
St. Foine impproved — Q num. 37.
Statutes at large by Joseph Keble 1681 — D num. 19.
Spelmans life of King Alfred 1678 — C num. 23.
Dr. Stillingfleets Unreasonableness of Separation — Q num. 42.

T

The Tablet of Kinge Charles i, a martyr; Printed 1661 — N num. 13.
Tacitus with Lipsius notes, 1648 — L num. i.
Taylour's Dissuasive from Popery, 1664 — FF num. 5.
Taylor's Measure of ffreindship, 1657 — S num. 34.
Thomas Thomasius Dictionary, in 8° — O num. 6.
Thomas Aquinas: see Aquinas
Thomas uppon the Sentences — E num. 32.
Theophrasti Characteres Ethici: græce et latine: Lugduni, 1632 — S num. 46.
Textor's Theatrum Historicum et Poeticum: Printed 1626 — X num. 57.
Textor's Epithetes: Printed 1638 — X num. 53.
The Epitome of Textor's Epithetes, 1642 — CC num. 2.
Terentius cum notis variorum, 1651 — W num. 26.
Thesaurus locorum communium by ffeuguereius: see ffeuguereius — HH num. 23.

Thesauri Politici pars 2		
Thevet's new found world in English, 1568	GG num. 52.	
William Thorne Cantuariensis: put out with other Histories, 1652	B num. 16.	
Michael Thomas Sermons, 1660: with others	FF num. 50.	
Thornedike's Primitive Government of Churches, 1641	DD num. 38.	
Thucydides on the Peloponnesian Warres, translated into English from the Greeke by Tho. Hobbes, 1629	A num. 35.	
Thucydides in Latin, by Valla	S num. 8.	
Dr. Tillotson's Sermons, 1671	X num. 61.	
Tindall's English Translation of the New Testament, 1534	T num. 40.	
Toleration discussed, 1670	EE num. 41.	
Mischiefes of Toleration, 1670	EE num. 45.	
Toleration disapproved by Will. Ashton, 1670	FF num. 46.	
Tolet on St. Johns Gospell: Printed 1611	E num. 31.	
The Touchstone of Wills, by Meriton: see Meriton		
Transactions of Parliament, 3°. Car. 1	G num. 19.	
The Triumphs of Nassau; 1613. See Nassau		
The Tryall of 29 Regicides, 1660	Y num. 14.	
The Tryall of Philips, Tongue, & others, 1662	X num. 22.	
Turner's Sermon Aprill 3d, 1661: with others	FF num. 50.	
Dr. Twisse his Vindicæ Gratiæ: Editio 2, 1632	FF num. 33.	
Dr. Twisse against Dr. Jackson, 1631	FF num. 22.	
Dr. Twisse of the Morality of the 4th Commandment, 1641	FF num. 38.	
Brian Twyne's Apologia Antiquitatis Academiæ Oxoniensis, 1608	Y num. 11.	
John Twyne de rebus Brettanicis, 1590	EE num. 4.	
New Testament in Greeke, cum notis Stephani, Scaligeri, et Casauboni, 1633: with the old Common-Prayer booke in Greeke by Elias Petley, 1638: in 8°: with Silver Clasps	EE num. 22.	
Another Greeke Testament cum notis Stephani, Scaligeri, et Casauboni, 1633: with my owne Notes also in Manuscript	P num. 11.	*used in the Chappell:*
A little Greeke Testament in 16°. Printed at Sedan; 1628	S num. 45.	
Testamentum novum in Greeke, with Beza's Notes: see Beza		
The Travells of 4 Englishmen: Printed 1612	W num. 46.	
Trebellius Pollio, inter alios 1661	W num. 10.	
Truth vindicated in Survey of a Discourse of Ecclesiasticall Policy, and mischiefes of Toleration, 1669	V num. 13.	
A Testimony of the Antiquity of the faith of the Church of England: Saxon & English	S num. 33.	
The Tenant's Law, by R. T. 1666	CC num. 43.	
The New Testament in Greeke Printed in the Theater at Oxford, 1675	OO num. 30.	
Thoroton's Antiquities on Nottinghamshire, 1667	H num. 59.	
Theatri Oxoniensis Encœnia, 1677	H num. 62.	
Dr. Taylors Sermons	L num. 14.	
Dr. Taylor his life & death of our Saviour	L num. 17.	
The Tryall of Lawrance Braddon & Hugh Speake 1684	L num. 21.	
Turners Defence of the marriage of an unkle with his neece	OO num. 57.	
Turners Addenda et mutanda	OO num. 58.	

V

Vale-Royall of England, Published by Kinge, 1656	A num. 21.	
Valerius Maximus cum Selectis variorum notis, 1655	W num. 7.	

Terentii Varronis Opera, quæ extant, cum Popini notis: 1601 — DD num. 7.
Vaughan's History of Cardinal Ximenes — V num. 11.
The Valley of Variety by Pecham: see Pecham
Memoires of Monsieur du Vall: 1670 — Y num. 23.
Veneti Scholia in Sphæram Joh. de Sacrobosco: see Sacrobosco
Venners via recta ad vitam longam — FF num. 51.
Verstegan's Saxon Antiquities, 1628 — Y num. 6.
Polydor Vergill de Historia Angliæ, 1546 — B num. 25.
A Manuscript of Verses — X num. 6.
Another MS. of Verses — X num. 7.
A little Booke of Verses with brasse Clasps of my owne Composinge — N num. 9.
Sexti Aurelii Victoris Epitome: inter alios, 1630 — S num. 37.
Villare Cantianum by Philpot, 1664 — A num. 32.
Villare Anglicanum, 1656 very imperfectly done — Y num. 21.
Vincent's Corrections of Brooke's Catalogue of Nobility, 1622 — A num. 14.
Vincent's 2ond booke of Honour and honourable Quarrells, 1594 — X num. 27.
Virgill: Printed 1555 — DD num. 54.
Virgilius cum notis Selectissimis variorum: 1657 — W num. 18.
Virgill Travesty, or 1th Booke Æneids 1664: by Cha. Cotton — N num. 3.
Virgill Travesty, or 4th booke Æneids, 1665 — V num. 16.
The names of all the villages in England & Wales, 1657 — Y num. 35.
Historia Virginiæ by Bry, 1590 — B num. 27.
The Present State of Virginia by Hamor, 1614. see Hamor
Vivaldi Jus Regale, 1507: wherein is one booke de laudibus Trium Liliorum: id est, of the Three fflower de Luces, the Kinge of ffrance's Coate of Armes — E num. 33.
fflavius Vopiscus: put out with others, cum notis selectis, 1661 — W num. 10.
Vossii Rhetorica: Lugduni Batavorum, 1627 — V num. 49.
Votivum Carolo, by the Maister and Schollars of Woodstock, 1660, with others — X num. 18.
Vrsin's Catechisme, with Pareus Notes: 1621 — FF num. 30.
Vsher's Body of Divinity, 1648 — E num. 22.
Vsher's Brettanicarum Ecclesiarum Antiquitates, 1639 — Y num. 4.
Vsher of the Power of Princes, & obedience of Subiects, 1661 — FF num. 44.
Vlacci Ephemerides, 1632 — FF num. 52.
Vigerus de Græcis Idiotismis: Editio 11, 1647 — T num. 45.
Visions of England, Scotland & Jerland; 1659 — DD num. 44.
Vindication of Gospell ffestivalls, 1650 — GG num. 48.
A Discourse of Vsury, 1641: by the Lord Say: see Say in S. — X num. 2.
Ponticus Virunnius; et Itinerarium Cambriæ, put out by David Powell, 1585 — N num. 27.
Vulcatius Gallicanus, inter alios, 1661 — W num. 10.
Velleius Paterculus: see Paterculus
The Vnlawfulness of Subiects takinge up Armes agt. their Kinge — X num. 34.
Verses on The Kings Coronation, 1661: with others — X num. 18.
The Voyage of the Wandringe Knight — X num. 52.
Visions of Quevedo: see Quevedo
Vossius de Historicis Latinis, Printed 1627 — HH num. 32.

Vossius de Historicis Græcis, Printed 1624 HH num. 33.
Vaughan's British Antiquityes, 1662 OO num. 1.
Vsher de Symbolo Apostolico vetere, 1647 HH num. 37.
View of London: see Brydall
Bishop Ushers prophecys Q num. 31.
The Siege of Vienna 1684 L num. 20.
De la Vanite de la vie Humaine OO num. 55.

W

The History of Wales in English with Powel's Note: Printed 1584 Y num. 17.
Wadsworths immortality of the Soule, 1678 EE num. 17.
Wadsworth's Present State of Spaine: 2ond Edition 1630 W num. 45.
Walkeley's Catalogue of the Nobility of England, Scotland & Jerland 1642 N num. 50.
Waller's Poems: 3d Edition, 1668 N num. 2.
Tho. Walsingham: put out with other Historians, 1603 B num. 14.
Walton of the lifes of Dr. Donne, Sr. Henry Wolton, Mr. Hooker and Mr. George Herbert, 1670 Y num. 25.
Sr. James Ware de Scriptoribus Hiberniæ, 1639 X num. 4.
Sr. ffrancis Walsingham's Letters of State, collected by Sir Dudley Digges: and Printed 1655 B num. 30.
Webster's Tables of Interest, 1629 P num. 30.
Weinrichius in 2am Epistolam ad Corinthios: Printed 1610 FF num. 20.
Weinrichius in Epistolam ad Ephosios, 1613 FF num. 21.
Wentworth's Office of Executors: 3d Edition, 1641 DD num. 58.
West's Presidents: i Part. Printed 1592 GG num. 31.
West's Presidents: 2 Part: Printed, 1601 GG num. 30.
Matthew Westminster's fflores Historiarum ad an: 1307: Prin. 1570 A num. 16.
Wever's ffunerall Monuments, 1631 A num. 10.
Wharton's Almanack 1657, with a Short Chronicle, &c. V num. 20.
Whitaker Contra Bellarminum et Stapletonum, 1590: sex questionibus disputata GG num. 21.
B. White Bishop of Ely, of the Sabbath-day, 1635 FF num. 9.
A Description of the Whole World: Edition 5th, 1620 X num. 35.
Widrington against ffitzHerbert, in defence of Soveraignty: 1616 GG num. 62.
fflorientius Wigorniensis: see Florentius
Dr. Wilkin's Sermon before the Kinge, 1668: Inter alios GG num. 65.
Idem Wilkins, of the Discovery of a New World in the Moone, 1638 N num. 46.
Wing's Computatio Catholica, 1669 T num. 7.
Wilkinson's Office of Coroners, Sheriffes, &c. 1641 N num. 19.
Wilde's Poems togather, 1670 DD num. 45.
The Question of Witchcraft Debated with one of Lucian's Dialogues Englished; 1669 DD num. 25.
Wollebii Compendium Theologiæ, 1638 CC num. 4.
Worldly Policy, by Herle Minister of Winwick in Lancash: see Herle
Wormii Dissertatio de Aureo Cornu in Dania reperto, 1641 G num. 54.
Wright's Deliciæ Deliciarum, 1637 S num. 30.
Winnall's Suspension of the Sacramt. discussed; 1657 DD num. 50.

Sr. A. Weilden's Court and Character of K. James, 1650 (a false book) — S num. 28.
She Would if she could; by Etherege: see Etherege
Wase his Poem of Huntinge; 1654 — CC num. 34.
The Wandringe-Knight's Voyage: see Voyage
Wilk's Six Pavins, for 4 parts: 4 little bookes in manuscript — NN num. 16, 17, 18, 19.
Dr. Wilson's Ballads for 3 voyces: Printed 1660: in three bookes — NN num. (blank).
Sir Charles Wolseley's ⟨on the Lord Rosses⟩ Case of Divorce, 1673 — CC num. 46.
Watson's Historicall Collections of Scotland, 1657 — HH num. 28.
Sir James Wares Annals of Jerland. under Hen. 7, Hen. 8, Ed. 6, Q. Mary. Printed at Dublin, 1664 — B num. 53.
Sr. James Ware de Præ sulibus Hiberniæ: Dublinii 1665 — H num. 52.
Sir James Ware's Antiquitates Hibernicæ, Printed 1654 — OO num. 2.
Wood's Historia et Antiquitates Universitatis Oxoniensis, 1674 — D num. 17.
Wilkins Bishop of Chester of the Principles of Naturall Religion: 1675 — OO num. 24.
Wingate's Abridgement of the Statutes to the yeare 1675 — OO num. 25.
A Sermon by Dr. Ward Bishop of Sarum beinge an apology for the mystery of the Gospell — Q num. 26.

X

Xenaphon de institutione Cyri: græce tantum: 1613 — W num. 14.
The History of Cardinall Ximenes, ⟨Englished⟩ by Vaughan 1671 — V num. 11.

Y

Younge's Vade Mecum for Justices of Peace, 1650 — S num. 23.
Dr. Yonge's History of the life and death of Hugh Peters, 1663 — S num. 77.
Yorke-Herald's Discovery of Divers Errours in Cambden's Britannia of the 3^{d} Edition, 1590: Prin. 1598 — Y num. 15.

Z

Zanchii Opera: Tom. 1, 2^{us} et 3^{us}: Printed 1613 — E num. 9.

A Table of

Manuscripts certaine Manuscripts, most of them written with my owne hand, and Noted with Capitall Letters on The Outside of The Bookes for distinction, shewinge what they Containe, and where they stand in my Study.

Lib. A is a collection of Deedes touchinge the familyes of Mobberley Leycester of Toft, & Legh of Baggiley — H num. 21.
Lib. B This is a collection of Manwaringe of Pevers-Deeds, and others: and of my owne Deeds, So many as to prove my owne Pedegree, which is put downe there with coates of Armes — H num. 22.

Lib. C is a collection ⟨out⟩ of Sundry Persons Evidences in Bucklow-Hundred: a Thicke book with brasse-Clasps H num. 23.

Lib. D is concerninge the Proceedinges betweene the Lord Ray & David Ramsey, 1631: with some notes of myne beginninge Page 159: and also Extracts out of my Ld. Rivers Deeds at Rocksavage, 1669 H num. 24.

Lib. E containeth Evidences, taken by mee Out of the Greate Couchir-bookes in the Dutchy-Office at Grayes-Inne in London, Touchinge Cheshire, & other Notes H num. 25.

Lib. F Contayneth the Pedegrees of Warren of Pointon, The Baron of Kinderton, Ld. Cholmondeley, by mee:— & some other things H num. 26.

Lib. G Contayneth the Pedegrees of Severall Gentlemen in Bucklow-Hundred; done by mee: but not very exactly H num. 27.

Lib. H Contayneth many of the Baron of Kinderton's Deeds, coppied out by Samson Erdeswicke, about 1600 H num. 28.

Lib. I is a Transcript of all Cheshire, out of the lesser Domesday booke in the Exchequer at London, taken by mee 1648 H num. 29.

Lib. K containeth the arraignment of the Earle of Essex, Sir Walter Rawley, & many other thinges: this is none of my Collections H num. 30.

Lib. L contayneth a Transcript of all Cheshire out of the Greater Domesday-booke in the Tally-Office at London, 1649: with an Exact Pedegree of the Leycesters of Tabley, & other things, with my owne hand: This booke hath partly coloured leafes, red & blew; with brass-clasps P num. 6.

Lib. M is a Traitise concerninge the Soule of Man, by mee 1653 P num. 2.

Lib. N A manuscript touchinge the City of Chester and Mayours thereof: No Author asserted: & hath some mistakes P num. 3.

Lib. O is an Alphabeticall Table of all the Saints dayes in the Romish-Calendar, by mee 1669 P num. 4.

Lib. P containeth some scattered notes of myne touchinge Government, & uppon some Texts of Scripture: with blew leafes P num. 7.

Lib. Q A little booke of scattered Collections by me, touchinge Antiquities P num. 8.

Lib. R A booke with red leafes, contayninge some Notes of myne on Saint Matthew's Gospell, 1658 P num. 5.

Lib. S A little booke with red leafes and brasse-claspes, of miscellany collections by me P L. for the use of my Son, 1650 P num. 9.

Lib. T Containeth the Mise-booke of Cheshire Alphabetically; with an Alphabeticall Table also of all such remarkeable Places as are not named in the Mise-booke, shewinge in what Townes such places doe lye; and also a Survey of all the Churches and Chappells in Cheshire: with all the Townes in every Parish; 1671; with my owne hand: with a ready Table for the Proportion of Every Hundred of any Summe layd uppon the County, and also an Abstract of Domesday-booke touchinge Cheshire H num. 31.

Lib. V An old Mise-booke of Cheshire, 1594: with other usefull notes, accordinge to The Table in the beginninge of the booke — P num. 1.
Lib. W Containeth Letters from the Kinge & Councell to the Deputy-Lieutenants of Cheshire, with other things — H num. 32.
Lib. X A booke with ⟨the⟩ Acts of Parliam^t. touchinge the Militia, and Severall Orders made thereon by the Deputy-Lieutenants, & other thinges — H num. 33.
Lib. Y A Parchment-Booke with Deedes provinge my owne Pedegree: all Parchment-leafes — H num. 35.

There are also Three Bookes in ffolio with red leafes and Stronge Iron-Claspes, contayninge a Transcript of my Evidences, all written with my owne hand.

Tom. 1 containes the Evidences of Nether Tabley, Over Tabley, Wethale and Hield:
Tom. 2 contains the Evidences of Nether-Pever, and Allostock, & Over-Alderley.
Tom. 3 containes the Remainder of my other landes, and other Passages.
These three Bookes are to be placed in the Presse of Evidences at Nether-Tabley: where the Deeds are all placed in Order accordinge to their Boxes.

Some Other Manuscripts how placed.

A Manuscript Touchinge The Abbot of Vale-Royall. Deedes — H num. 34.
A feodary of the Dukedoms of Lancaster — H num. 38.
A view of Armes in Cheshire about Hen. 8 — H num. 39.
An Extract of Sr. Thomas Aston's Deeds by Will. Vernon: but they are confusedly placed and written — P num. 50.
Manuscriptum Philosophicum-Astronomicum — FF num. 35.
Collectanea Mathematica, a manuscript by me — C num. 15.
A very large Manuscript of Cheshire Pedegrees — D num. 1.
Collectanea Mathematica: a little booke in manuscript by me — CC num. 18.
A Discourse of Usury by the Lord Say, 1641, a manuscript in 4° — X num. 2.
Certaine notes in manuscript by Sr. Peter Leicester (added to the Booke of the foundations of the Colledges in Oxford & Cambridge) 1668 — X num. 3.
A manuscript of Collections of Verses by my bro. Tom Leicester, 1638 — X num. 7.
Some Poems and Characters by Sr. Peter Leicester — N num. 9.

[A list of his music books follows, but for these works see Library List NN num. 60.]

f. 134. Bookes used below dayly in the Parlour besides those in my study.

A ffayre Common-Prayer-booke in ffolio, with some notes by mee.
An English-Bible of Cambridge-Print, 1657, in octavo.
A Greeke Testament, with some notes of myne in manuscript bound up with it, in octavo; with brasse clasps.
A Greeke Common-Prayer booke, by Dupert; 1665: with clasps.

Two other English Common-Prayer-bookes with cuts, & clasps.
My Lord Hatton's Prayers uppon the Psalmes: 5th. Edit. 1655.
Dr. Sanderson's Lectures in English, 1660, in octavo.
A booke of the heads of my charge to the Jury at the Quarter Sessions.
A Greeke Lexicon in folio, Besides that in my Study.
Holyoke's Dictionary, 1659.
A Booke of Endictments, & Presidents for Warrants of Just. of Peace, 1664: a manuscript by mee.
Another manuscript by mee, beinge a briefe Collection and Chronology of memorable things duringe the tyme of the Civill Warres in England, & other thinges.
Wharton's Almanacke, 1657, & other memorable Notes of Chronologye by mee.
Wharton's Gesta Britannorum 1661, et 1663.
Complete Justice, 1661.
other Bookes sometymes uppon occasion, but taken up againe.
f. 81. Bookes in my Closet below, Besides those in my Study.

Schoole-bookes for Boyes, all which I haue over againe also in my Study above, as followeth.

Justus Lipsius Epistles, Printed 1616.
Lucius Annæus Seneca de Beneficiis, & his epistles.
Tullie's Offices, Printed 1660.
Ovids Metamorphosis, 1566.
Ovids Amatoria, 1554.
Tullyes Orations. vol. 2um. 1664.
The Epitome of Tertors Epithetes 1642.
Sylva Synonymorum, Printed 1650.
Robinsons Latine Phrases, 1658.
Janua Linguarum, 1650.
fformulæ Oratoriæ, 1637.
ffarnabies Index Rhetoricus, 1659.
A Dictionary for hard wordes, 1661.
Virgill with ffarnabies notes, 1634.
Lucan with ffarnabies notes, 1618.
Horace with Bond's notes, 1625.
Thomasius Latine Dictionary.
Jewish, Romish, & Greeke Antiquities.
Ignoramus a Comædy. 1630.
Seneca's Tragedyes with ffarnabies notes, 1659.
Suetonius with claspes.
Cæsar's Commentaries, 1650.
Rob. Halls Table of Bishops & Earles, set out 1641: with claspes.
Salust, 1601.
Stadius uppon fflorus, 1661.
Erasmus Colloquies, 1653.
a Greeke Catechisme, 1638, by Nowell.
Lucian's Greeke Dialogues, 1655.
A Greeke Testament.
Homers Iliads, 1664.
Carpenters Geography, 1625.
Esops ffables, Printed 1482.
History of Independency printed 1648.

Bookes in my Closet belowe, which are not in my Study above.

An old Survey in manuscript of every man's Armes & weapons in Cheshire, about Hen. 7.
The Mirrour of the World, translated into English by Caxton, & printed 1481. an old booke.
Smith's Sermons, Printed 1618.
The merchant Royall preached before the King at the marriage of the L^d^· Haye & his Lady, 1607.
Tudman's ffunerall Sermon on my Brother Thomas Leycester, 1652, in manuscript.
Dr. Gauden's Sense of the Covenant, 1660.
Mr. Thomas his sermon on Ecclesiastes 5, vers. 1 at Bridgenorth 1660.
The Quaker's Court Proclaymed by Nat. Smith, 1669.
Allingtons sermons, 1657.
Mr. Leivesey's sermons. Printed 1657.
The estate of the church from the Apostle's tymes; in ffrench: Printed 1564.
A manuscript of a Court Baron by me, 1640.
An old mize-booke of Cheshire, 1594; with other notes of myne accordinge to the Table in the beginninge.
A Parchment-booke in Quarto, contayninge a Survey of all my landes & Tenements, 1663
A booke in ffolio with the Acts of the militia and some orders concerninge the same, & other things accordinge to the Table in the end.
Another booke in ffolio with Letters from the K. & Councell to the Deputy Lieutenants of Cheshire, & other things according to the Table in the end.
Another Booke in ffolio of my Court-Rolles; and counterparts of leases extracted.
Homer's workes Gr. & Lat. in folio, 1567.
Remonstrance à la Royne de ffrance, 1561.
The placinge of all the Nobility, & the ffees of our Kings Officers sub Jacobo Rege. Hierons Lectures on the 51 Psalme, 1617.
Smectymnuus Redivivus; 1654.
A Comparison of our Common-Prayer-booke with the Masse-booke of the Papists, & the Schismaticks.
A Proposall for the ffarminge of Liberty of Conscience, 1663.
Traitte Des Religions, Par Amyraut, 1631.
Edmund Spensers Poems, Printed 1617.
Abraham Cowley's Workes. Printed 1668.
Silvester's Poems. Printed 1633.
Oxford verses on the death of Henrietta Maria late Q. of England, 1669.
Oxford verses on George Monke Duke of Albemarle, qui obiit 3° Januarii, 1669.
Balthasar's Lexicon Latino-Græcum: Prin. 1613.
Tullyes Orations 1^um^ volumen. 1581.
Ovids Metamorphosis with Sabinus notes.
Wither's Motto.
The names of all those in Greate Budworth Parish, who tooke the Covenant. 1644.
The L^d^· Capell's Observations, 1655.
K. James his Proverbes & Aphorismes.
Militis Christiani Enchiridion by Erasmus, 1542.
Masons three Treatises 1634.
Peter du Moulins Sermons & other Traitises, 1624. ffrench.

f. 134b. Musicke-Bookes in the Musick-Roome, adioyninge to my Study. in quarto:

Lawes his Psalmes for 3 voyces, with a Continuall Basse: Printed 1648.
Child's Psalmes for 3 voyces, with a Continuall Basse: Printed 1656.
Byrd's first Booke Sacrarum Cautionum in Latine, for V voyces: Printed 1589.
Cautiones Sacræ in Latine by Tallis and Byrd, V et VI Partes: Printed 1575. 2 partes wantinge.
The Psalmes in 4 parts, set out by Ravenscroft in Print; 1633.
Dr. Wilsons Ballads for 3 voyces: printed 1660.
Kasperger's first booke of Balls, Galliards, & Coronta's: 4 partes. printed 1615.
Pilkinton's second set of Madrigalls of 3, 4, 5 & 6 parts; apt for violes & voyces: printed 1624.
Bevin's short Instruction of the Art of Musicke. printed 1631. teachinge Descant.
An Introduction to the Skill of Musick, 1655.
Hiltons Catches. Printed 1658.
Simpsons Principles of Practicall Musick 1665.
Morley's Introduction to Practicall musicke, 1608.
fferrabosco, Rosseter, & Pilkinton's Ayres with Tableture for the Lute } bound togather.
Jones Ultimum Vale, printed 1604
Morley's Lute-Ayres } bound togather.
Hadrianius Pratum Musicum: 1584.
Humes first parte, 1605
Humes Poeticall Musicke, 1607
fferrabosco for the Lyra-Viole, 1609
Corkyne's Ayres, 1610, & for the Lyra-Viole } bound togather.
Select Ayres to singe to the Basse-viole in severall Tuninges: a manuscript of my owne.
Simpson's Division-Viole. Editio 2ª, 1667.
Musick-bookes for violes without the Voyce, in the musique Roome.
East's 7th set, printed 1638: for 2, 3, & 4 violes.
Orlando Gibbon's ffantazies of 3 partes.
Lockes 3 parts, Printed 1656: 2 Trebles, & a Basse.
Three Partes by Jenkins: 2 Trebles, & a Basse: in manuscript.
The Royall Consort by Will: Lawes, for 4 violes, with a Continued Basse: Manuscript: with 4 partes also by Jenkins.
Wilke's 6 Pavians, 4 partes.
Court Ayres, ⟨2 partes⟩[1] for violes: Treble, & Basse: printed 1655, for Jo. Playford.
Lessons for Two Lyre-Vyoles: manuscript.
A Booke for the Treble parte of Horne-pipes, & other Lessons, by mee.
Anthony Holborne's booke for the Psittyrne, 1597
Thomas Robinsons booke of Psittyrne-Lessons: 1609 } bound togather.
Another booke of Psittyrne-Lessons with some notes before the same; by me P L: a manuscript.

[1] Interlined.

Another booke of Gitterne-Lessons with gilded leafes.
A new booke for the Citharen or Psittyrne, by Playford, 1666.

All my Instruments of Musicke, to wit, One Complete Chest or Set of Violes, beinge seaven in number, Two Trebles, Two Basses, Two Tenours, & one Lyra-Viole, with all the Viole-Stickes thereto belonginge; also one payre of Virginalls, one Psittyrne enlayd with mother of Pearle, one Gittyrne with Wyre-Strings of a Triangular fforme, one old Lute, one Violin with all their appurtenances: & bookes of Musicke.

And also all my Bookes above mentioned in this Booke, or which hereafter I shall be possessed of at the tyme of my Death, togather with the Study wherein they now remayne in the Mannour-house of Nether-Tabley; I doe hereby give and bequeath them all unto myne heires, the Lords and owners of the Mannour of Nether-Tabley, as a Perpetuall Heire-loome or Heire-loomes for ever, whereof every heire successively shall have the ffree use, but none to have power to alienate, give, ⟨or⟩[1] sell, or ⟨to⟩ lend away the same, or any of them: but on security to be restored.

And I do hereby also charge all my heires successively, that they and every of them doe carefully observe and keepe inviolable my Will in these things without embezillinge them, or any of them; but rather to encrease and preserve them from tyme to tyme.

In testimony whereof I have here-under suscribed my name, & affixed my Seale hereunto, the third day of August, Anno Domini 1667. P. Leycester.
In presence of

Eliza Leycester
Eliza Booth
Thom. Jackson
John Pickering
John Barlowe

[1] Interlined.

APPENDIX VI

EPITAPH ON THOMAS LEIGH

In obitum Thomæ Leigh of Boothes in Comitatu Cestrensi Generosi qui obiit mense martico, die 25° scilicet illo ipso die a quo incipimus Computionem Anni Domini Incarnati 1650, et sepulti apud Knotsford Mar. 29°.

he was a younger son of Leigh of Boothes.

Dominus Thomas Leigh hic iacet:
Utinam tam Deo Placet,
quam in vita fuit gratus
homini: nobis in risum datus:
Ludebat optime virorum
Decem-chordis Digitorum:
quibus dum Pleno Cantat ore,
nemo afficitur mærore:
At mors facit nos deflere
hunc, qui fecit nos ridere:
Cecinit semper hic qui iacet,
Precor ut in morte tacet:
Juravit vivus cum decore
Gravi voce, pleno ore.
fuit Dives, sed cælebs: quare
uxori noluit Sumptum dare:
Bonus Comes inter Bardos:[a]
habuit one or two Bastardos.
Mortuus est lepidus Thomas: nonne est dolorosum.
Abiit, et serio tollunt fera fata iocosum:

[a] I may thanke this word for my rhyme.

APPENDIX VII

A Booke of Disbursments beginninge November XIth, 1648.

		l	s.	d.
f. 1. 1648	Disbursements since my Comminge to Dutton Novem. XI, 1648.			
No. XI	To the Slaters for the keepinge in repayre all my Slated buildinge at Tabley, both within the mote & without, accordinge to agreem^{t}. per annum	1	0	0
No. 13	To Peter Bromfield for 35 Barrels of Coales at Dutton (2^{s}. 0^{d}. the Barrell)	3	10	0
	ffor a Millstone at the banke	3	10	0
	for the bringinge it home to Tabley, with my owne draught-horses & oxen (borrowed also fowre oxen of my Cosen Daniel)	2	19	0
w.	given to my wife when she was last at Warrington	1	15	0
w.	given to my wife for Dimaty at Knotsford	0	14	0
w. No. 22	for greene gallowne lace for her at Warrington	0	2	3
c.	for cloath for a smock-coate for my selfe	2	0	0
	for conserves of roses, wine, & other things	0	13	0
	To Kate Proby, w^{ch} she layd out for a pint of honey	0	1	6
	To Jo. Pickerne, w^{ch} he layd out for getting in my coales	0	2	0
	To my Cosen Clare in parte of Dyet aforehand	20	0	0
No. 24	payd to Mr. Johnson Apothecary of Chester	0	15	0
	for the childrens unguents by Will. Keeper	0	15	0
w.	for weavinge 7 yards & halfe of serge at Chester	0	7	6
	for a Booke of accounts, Inke, & Pensils	0	2	0
	for post letters	0	1	0
c. No. 25	To my Bro. Tom for silk for my coate, w^{ch} he layd out	0	2	0
w. No. 27	To my wife	1	0	0
	To John Hilton, w^{ch} he layd downe for 200 oisters	0	4	0
	To Burges Yarwood for a payre of shooes for Rob. Wright due long agoe	0	4	0
	Payd to Ed. Clearke, w^{ch} he gave to Mr. Steward	0	5	0
		39	7	3

		l	s.	d.
No. 28	also to Ed. Clearke the charges of the suit ag^{t}· William Key	0	1	1
w.	given to my wife at Tabley	1	0	0
c.	To Peter Stubs by Ed. Clearke for a payre of great ridinge Mill-Stockings	0	6	6
	Spent whiles I was at Tabley	0	3	0
No. 28	to Mr. Rich. Leigh of Knotsford in parte of the blackes by Ed. Clearke (remaynes yet 27^{li})	20	0	0
	To my Cosen Tom Leigh per Jef. Wright	30	0	0
	payd to Bro. Philip in full of his Annuity to C^{t}mas Anno Domini 1648	15	0	0
	To Sam the Groome his halfe yeares wages endinge Jan. 1, 1648	1	10	0
	also for meate when my wife & I were over at Tabley the first tyme after we removed to Dutton	0	10	11
No. 30	Payd Tho. Wilkinson del Wood for a horse bought of him in y^{e} tyme of the late warre in full of all Demandes to this day	3	0	0
	To Mary when I was last at Tabley	0	3	0
	To Geo. Gandy for bringinge a letter	0	0	6
c. De 1	for 6 dozen of greate Buttons for my coate bespoke at Warrington (2^{s}· 0^{d}· the dozen)	0	12	0
	Payd Peter Beaumont for winnowinge when I was at Tabley (stopt in as much more with Tom Beaumont) Novem. 29	0	4	5
Dec. 2	for a hundred of Oisters at Hallum	0	2	0
Dec. 7	To Besse for her 3 lambes w^{ch} I killed	1	4	0
	To the Smith for worke at Dutton	0	5	0
	To my Bro. Adam in full of his annuity to Christmas, 1648	15	0	0
		89	2	5

		l	s.	d.
De. 7	To William Antrobus of Knotsford in full of all Demands (w^{ch} my Brother Philip borrowed of him payd by Edward Clearke vide le acquittance	3	0	0
Dec. 2	Payd to Adam Wilkinson five dayes worke at ye Mill	0	5	0
	payd Rafe Wilkinson also	0	2	0
	also stopt in with Rafe for parte of an old debt	0	3	0
	To Peter Beaumont for 4 dayes worke	0	2	8
	for mendinge my halfe measure & makinge it right	0	0	4
	payd Jef. Wright per Ed. Clearke, w^{ch} he layd downe at Chester for the witnesses in Jo. Steeles suit	1	0	2
Dec. 8	To Hen. Hayes for harrowinge & tininge in the high-field	0	6	0
	To Will. Mere for a dayes harrowinge	0	1	2
	To Rob. Grimsditch for his horse 2 dayes	0	1	0
	To Tho. Newall for one da. ploughing in high field	0	2	8
	To Dic Leigh for 8 dayes worke	0	6	0
	Given to Little Tom Pierson	0	1	0
	To Ed. Bradshaw of Chester Mercer for serge see his acquittance	2	6	8
Dec. 6	To Mr. Bleaseby my brother Tom (remaynes yet 40^{li} see his acquittance	40	0	0
Dec. 9	my charges at Warrington	0	4	0
w.	layd out there for my wife in silke, pins, & stockings	0	7	0
	given to Jo. Barker a gratuity for his being at Chester	0	10	0
	for a payre of short neckt spurres to ride with	0	1	6
	given to a messenger to goe to Chester to my Bro. Tom	0	1	0
	payd for this booke to my Bro. Tom, w^{ch} he layd out	0	3	6

A Booke of Disbursments beginninge November XIth, 1648. by P.L.
(BB Num. 14.)

1647. A note of all the Servants wages for the whole yeare endinge January 12th, 1647, crost & discharged.

	li	s.	d.
Mrs. Mosley	4	0	0
Besse Jackson	2	0	0
Mary Murrhall	2	0	0
Kate Proby	1	10	0
Besse Key	1	10	0
Anne Ffaukner	1	10	0
Jane Wilkinson	1	10	0
John Cragge	5	0	0
Tho. Gandy	3	0	0
John Pickerne	2	0	0
Sam Widder the Groome	3	0	0
James ffoxley	4	0	0
Dic Leigh	3	10	0
John Houghton Cooke	2	0	0
Will. Cragge willer	3	0	0
Robin Wright	2	0	0
Tho. Pierson	1	5	0
Ned Walker kitchin boy			
	42	15	0

A Booke of Disbursements by P. Leycester.

Servants wages for the whole yeare endinge at C^{t}mas 1669.

	l	s.	d.
Betty Harrison	2	0	0
Anne Hanley Derry-mayd	2	0	0
Besse Shaw Landrey-mayd	2	0	0
John Barlow Butler	2	0	0
William Norbery Groome	3	0	0
John Ashley Brewer	5	0	0
John Plumme cooke	4	0	0
under-cooke	2	0	0
San ffaukner Head Servant and Coachman	4	0	0
Nathaniel Brachgirdle under servant	2	6	8
Tom Jackson	4	0	0
	li	s.	d.
besides the ffoot-boy maintained; but noe wages	32	6	8

other Charges yearely

Coales, Harvest, and Smith for Shooinge & Ironworke	26	0	0
ffor Candles & soape	10	0	0
Ground held from my sonne	74	0	0
Beefes, muttons, & spice	30	0	0
Other Ground of my owne sowed	12	0	0

A Booke of Disbursements beginninge November XIth, 1648 by P.L.

Horses to be Kept 1668.

Inprimis the 5 Coach-Mares
Item my owne Mare blackebay
Item the Gray-nagge
Item the little Black-mare
Item a black stoned colt two yeare old
Item a grey Gelt-Colt 4 yeare old.

Horses to be sold:

Inprimis the little old bay-nagge, dyed.
Item the younge bay-nagge.

	l	s.	d.
Item the hollow back-nag: sold to Hen. Heys Jun'	2	0	0
Item the broken-wind coach-mare sold	1	15	0
Item Stubs Hariot a bay nagge sold	2	4	0
Item old black-mare that was Adams sold	1	0	0
fflaxen mare drowned			
A Coach mare dyed & her colt also.			
Item the bald face nagge	3	0	0
Item Jacksons Hariot, a bay nagge. sold			
Item a young grey-nagge. sold			

A Particular of the Estate belonginge to Peter Leycester of Tabley Esquire
(extracted from A Booke of Accounts belonginge to P. Leycester)

1648.	li	s.	d.
The Demesne of Nether-Tabley with its members & appurtenances viz^{t} with three fields called the high-fields & the landes called Hales ground lyinge in Over Tabley, & also with those fowre fields called the Bate-fields lyinge in the Manour of Wethale infra Aston iuxta Pickmere, worth yearely	400	0	0
In Rents (whereof 93^{li} 8$^{s.}$ 0$^{d.}$ is old Rents after 1$^{s.}$ 0$^{d.}$ the Acre)	134	13	8
for the Wood end house in Nether-Tabley this yeare	6	0	0
ffor two Wich-houses in Northwich of 12 leades this yeare	40	0	0
The averages of the Tenants	39	10	10
In interest money	200	0	0
	li	s.	d.
Summe totall besides all accidentaries of ffines and Heriots	834	17	10

Anno Domini 1648.

An Abstract of the whole Averages, Boones & Services Due yearely to Peter Leycester of Nether-Tabley in the County of Chester Esquire from all his Tenants: viz^{t}.

		li	s.	d.
Capons	055	2	15	0
Hennes	204	5	2	0
Dayes of Reapinge	260	4	6	8
Dayes of Harrowinge	067	3	7	0
Daies of Ploughinge	042	5	5	0
Carte Loades of Coales	042	10	10	0
Dayes of leadinge Turves	033	1	13	0
Daies of Leadinge Mucke	039	4	17	6
Daies of fillinge Mucke	104	1	14	8
		39	10	10

APPENDIX VIII

A Booke of Disbursments beginninge November XIth, 1648, by P.L. The Charges layd out by mee in the Buildinge of my Chappell at Nether-Tabley: accordinge to this Booke of Disbursments followinge.

			l	s.	d.
1674					
Ffeb.	10	to John Hewet the Brickman	5	0	0
1675					
March	27	To Pe. Leicester when he went to bespeake slate	0	3	10
Mar.	29	To Jo. Birchenhough Mason beforehand	10	0	0
Apr.	15	To Will. Kinsey	0	15	0
May	12	To Sam for Lyme	0	7	6
May	13	To the Kerridge-men	0	7	0
		also to Sam More for Lime	0	7	6
May	16	To Sam More for Lime	0	7	6
	18	To Randle Pawden Mosse-man	0	7	6
		to Reddish of Alderley for John Banne	2	13	4
	20	To Sam for Lime more	0	7	6
	21	To Tom Motley	0	14	0
	22	To John Hewet Brickman more	5	0	0
	24	To Sam for another load of Lime	0	7	6
	29	To Geffrey Shakerley	2	4	0
		To Pe. Leicester	0	12	0
		To Jo. Barlow layd out for my use	0	2	6
	31	To Sam More for Lyme	0	7	6
		To Sam for van helpinge to leade Timber	0	2	6
June	3	To Sam for lime more	0	7	6
	8	To Pe. Leicester more	0	10	0
	13	To Tom Motley more	1	4	0
		To John Kell more	8	0	0
	14	To Sam More for Lime	0	7	6
	15	To John Hewet for more	5	0	0
	21	To Sam more for lime	0	7	6
		To Geffrey Shakerley more	0	3	4
	25	To Sam more for Lime	0	7	6
			46	14	0

			l	s.	d.
July	5	To Sam for Lime more	0	7	6
	7	To Sam more for lime	0	7	6
	22	To John Chantler for John Bann	2	13	4
	25	To Sam for 2 loade of lime more	0	15	0
	29	To Sam more for Lime	0	7	6
	30	To Geffrey Shakerley	0	8	4
Aug.	6	To John Berchenhough	5	0	0
	18	To John Berchenhough more	3	6	0
	23	To Sam more for Lime	0	7	6
	29	To Sam more for Lime	0	7	6
Sept.	7	To Sam for 2 loades of Lime more	0	15	0
	10	To Sam for 2 loades of Lime more	0	15	0
		To Pe. Leicester	6	15	0
		To John Hewet more	5	0	0
		To Pe. Leicester more	3	15	0
		To Geffrey Shakerley more	3	0	0
	11	To Jo. Hobson and Edw. Reddish	10	0	0
	13	To Sam for lime more 2 loades	0	14	6
	17	To Jo. Birchenhough	7	0	0
	20	To Sam for 2 loades of Lime more	0	14	6
Octob.	1	To William Merriman	5	0	0
	9	To Jo. Birchenhough more	5	2	0
	11	To John Hewet more	12	12	0
	14	To Pe. Leicester more for slate	1	10	0
	20	also to Pe. Leicester for slate at the Pit	5	10	0
	30	for leadinge Slate	3	4	0
Novem.	1	To Tom Piorson for leadinge 2 load of Slate	0	16	0
		To Pe. Leicester also	0	4	6
	16	To Geffrey Shakerley more	11	7	4
		also to other workemen	3	17	0
		also to John Kell more	13	0	0
	19	To William Merriman more	2	0	0
	21	To Jo. Berchenhough more	2	0	0
			117	12	0

			l	s.	d.
Decem.	11	To Peter Leicester for Ropes	0	14	7
		To Rob. Key	0	6	9
		To Pe. Leicester more	0	16	6
	21	To John Hobson & Reddish more	3	13	6
	23	To Jo. Berchenhough more	8	0	0
	24	To John Kell more	5	0	0
Janu.	1	To Rafe ffaukner	4	0	0
	20	To Rafe ffaukner more	4	0	0
	26	To Will. Merriman more	3	7	0
		To Pe. Leicester more	1	2	0
		To Tho. Greene Glazier	1	14	0
	27	To Jo. Berchenhough more	8	0	0
	28	To Katharine Phythian	0	6	0
		To John Hewet more	2	0	0
		To Jo. Urmeston Slater	3	1	0
Ffebr.	5	To John Swynton	0	10	6
		To John Edge	2	0	0
March	13	To Jo. Berchenhough more	12	0	0
	15	To Pe. Wood for ffannes	0	18	0
	21	To the Lancashire man for painted Glasse	4	0	0
	27	To Urmeston more	0	2	6
			65	12	4
Also 60 Trees fallen for the Roofe of my Chappell and seaven or eight more for the fframe of the seates, worth			60	0	0
Also the Tenants gave me in leadinge stone and slate, worth			16	0	0
and other worke with my owne teame, if hired worth			10	0	0
			86	0	0

			l	s.	d.
1676					
March	31	To Lowe	1	0	0
Aprill	8	To John Berchenhough more	5	10	0
	29	To John Hewet more	1	0	0
May	6	To Edward Reddish more	4	9	0
	13	To John Edge more	5	1	0
	29	To Tho. Poole of Mere Naylor	2	19	0
June	13	To Pe. Hewet more	5	0	0
	15	To Geffrey Shakerley more	0	13	0
		To Phythian	0	4	0
	16	To Tom Motley	4	2	6
	22	To Phythians wife	0	4	3
	24	To John Worseley Glazier	8	10	0
	29	To Sam for a loade of Lime	0	7	0
	30	To Jo. Kell more	5	0	0
July	3	To Sam for another loade of Lime	0	7	0
	28	To Geffrey Shakerley more	3	0	0
		To Peter Wood	1	15	6
		also more for severall things	0	16	0
Aug.	8	To the Lowes for flagginge	3	2	0
		To Will Merriman more	1	0	0
	14	To Sam for a loade of Lime	0	7	6
	30	To Sam for 2 load of Lime	0	14	6
Sep.	11	To Sam for 2 load more	0	15	6
	13	To John Bann	1	0	0
	16	To John Kell	3	0	0
	22	for reachinge brick	0	7	4
		for leadinge brick	1	10	0
	28	for fetchinge of a Greate Stone	0	5	0
Novem.	3	To Will Merriman	1	0	0
		also more	3	13	6
		also to Jo. Hewet	4	0	0
	13	To John Allen	2	14	0
	22	To Reddish more	5	0	0
			78	3	7
1676					
Nov.	27	To Rafe ffaukner more	5	0	0
		To Jo. Berchenhough more	6	0	0
Decem.	1	To John Bann	1	13	4
		for the Greate Stone	0	10	0
		for the Triangles	0	10	0
	2	To Tho. Allen	10	0	0
	12	To Phythians wife	0	10	0
		To Ephraim Broadhurst Joyner	8	3	4
		To Pe. Deane	5	0	0
	19	more to Phythians wife	0	10	0
Ffeb.	10	to John Low	0	10	0
	21	To Ephraim Brodhurst more	10	0	0
	22	To Geffrey Shakerley	3	11	6
			50	18	2

			l	s.	d.
1677					
Aprill	2	To John Berchenhough	10	0	0
		To Geffrey Shakerley more	2	0	0
	14	to younge Robin Merriman	0	11	0
May	4	To Will Leftwich	0	2	6
	8	To Judge Johnsons man	5	2	6
	23	To Rich. Toft	0	14	0
	30	To John Lowe	2	10	0
June	9	for the carriage of the Greate Bible given by Ffran. Cholmley	0	3	8
	21	To Rafe ffaukner	3	11	6
	25	To John Hobson and Reddish	5	0	0
	26	To Mary Brodhurst	10	0	0
July	7	To Jo. Berchenhough	10	0	0
	13	To Palden	0	17	10
		To Geffrey Shakerley	4	0	0
		To Jo. Lowe	0	3	10
Oct.	1	for Brick borrowed	1	16	0
	16	To Judge Johnson	3	0	0
Novem.	24	To Tho. Allen more	7	10	0
			67	2	10
Decem.	8	To Jo. Kell for Tressells and Joyce in full of all accounts	0	4	0
Decem.	19	To John Worseley Glazier for lead & all other accounts	0	13	0
Decem.	22	for a Common-Prayer booke	0	14	6
Decem.	25	To John Broderik for the Pulpit & Railes &c.	10	0	0
ffeb.	22	To Peter Wood for all his Iron work in full to this	0	19	0
Mar.	1	Payd more to Broderic the Joyner	2	0	0
Mar.	7	To Tom Motley in part of Gildinge Pulpit & Cherabins	1	0	0
1678					
Aprill	4	To widow Brodhurst	6	0	0
Apr.	6	To John Berchenhough	10	0	0
Apr.	8	also returned to Robin towards a Pulpit Cushion	5	0	0
May	24	To Locket of Knotsford for closinge the Top of the Chapel which opened and cracked	0	5	0
June	22	To John Low in full of all reckonings whatsoever to this day	0	9	0
May	25	To Broderic the joyner more	1	10	0
		To John Berchenhough more in full of all accounts	5	0	0
June	5	To Tom Motley more	1	8	0
	13	To Geffrey Shakerley in full	0	16	0
	23	To Broderik the Joyner more by Will. Hayes	1	10	0
	27	a Peuter Bason for the ffont	0	3	6
July	6	To Jo. Kell for Palmy	0	11	0
	10	To widow Brodhurst more	22	18	0
			71	1	0

	l	s.	d.
	46	14	0
	117	12	0
	65	12	4
	86	0	0
	78	3	7
	50	18	2
	67	2	10
	512	2	11
	71	1	0
	583	3	11
owinge yet to Wid. Brod.	80	0	0
summe	663	3	11
To Tom Motley	1	1	6
To the Apothecary	2	4	0
To Broderic more	15	14	0
	682	3	5
So that the whole summe expended by mee Peter Leicester in buildinge and completinge my Chappell amounts unto about	690	0	0
Besides a Gold Calice and Patine given mee worth	70	0	0
also a Purple-Satin carpet for the Communion Table	5	0	0
A silver fflaggon & silver offertory worth	17	10	0
a ffine Common Prayer-booke given me, w^{ch} cost about	7	10	0
also a ffine Cushion given me for the Communion Table	5	0	0
	795	0	0
So that the whole expences concerninge Nether-Tabley Chappell amounteth almost to	800	0	0

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